MEMORANDUM
May 19, 2009

To: James T. Hayes, Jr., Director, Office of Detention and Removal, Immigration and Customs Enforcement
From: American Bar Association Delegation to the El Centro Detention Facility
Copies to: ABA Commission on Immigration
Subject: Report on Observational Tour of the El Centro Detention Facility, El Centro, California

This memorandum summarizes and evaluates information gathered at the Immigration and Customs Enforcement (“ICE”) Service Processing Center in El Centro, California (the “El Centro SPC” or the “facility”), during the delegation’s August 8, 2007 visit to the facility. The information was gathered via observation of the facility by the delegation, interviews with four detainees, and discussions with ICE personnel.

I. ICE DETENTION STANDARDS

In November 2000, the Immigration and Naturalization Service (INS), promulgated the “INS Detention Standards” to ensure the “safe, secure and humane treatment” of immigration detainees. The thirty-nine standards contained in the Detention Operations Manual cover a broad spectrum of issues ranging from visitation policies to grievance procedures. These Standards apply to ICE-operated detention centers and other facilities that house immigration detainees pursuant to a contract or intergovernmental service agreement (“IGSA”).

The Detention Standards (the “Standards”) went into effect at ICE-operated detention facilities on January 1, 2001. ICE intended to phase in the Standards at all of its contract and IGSA facilities by December 31, 2002. The Standards constitute a floor rather than a ceiling for the treatment of immigration detainees. In other words, they are designed to establish the minimum requirements to which ICE must adhere in its facilities. Each Field Office or Officer-in-Charge has discretion to promulgate polices and practices affording ICE detainees more enhanced rights and protections, beyond those provided for by the Standards.

1 The delegation was comprised of attorneys and summer associates from the San Diego office of Latham & Watkins LLP, including , and

2 Effective March 1, 2003, the INS ceased to exist as an agency of the Department of Justice. The INS’ immigration enforcement functions were transferred to Immigration and Customs Enforcement (“ICE”), a division of the newly-created Department of Homeland Security (“DHS”).
II. INTRODUCTION

A. The Delegation’s Visit, August 8, 2007

On Wednesday, August 8, 2007, the members of our delegation met with several members of El Centro SPC’s staff, including, Acting Officer in Charge (“OIC”), Assistant Officer in Charge (“OIC”), and Compliance Officers (“Compliance”), and (“Compliance”). The officers discussed the implementation of the ICE detention standards. Assistant Officer in Charge and Compliance Officers then led our delegation on a tour of the facilities. The delegation appreciates the cooperation of these individuals; they were direct and accommodating during our tour of the facility.

Our report is based on the discussions we had with these El Centro SPC staff members, as well as observations of the facility and interviews with four immigration detainees. Two detainees, one of whom was not interviewed by the delegation, sent subsequent letters to a member of the delegation, detailing experiences that were not discussed during the interviews. Where information in this report is based on those letters, it is explicitly noted. In many instances, the detainees’ reports were compatible with statements made by facility personnel and our observations. In such cases, the delegation was able to more accurately determine whether El Centro SPC policies and procedures successfully meet the Standards. However, in certain instances, the detainees’ reports conflicted with statements made by facility personnel. Where we were unable to reconcile the conflicting reports, the delegation was unable to determine conclusively whether the Standards are being met.

B. General Information About the El Centro Detention Facility

According to Officer, the Facility has the capacity to hold over 500 individuals. On the day we visited, El Centro SPC had a population of 414 inmates, all of whom were immigration detainees. On average, the facility houses between 450-500 detainees. El Centro SPC houses males exclusively. The facility houses immigration detainees from many different countries, including Mexico, Somalia, Iraq, and many Central American countries.

III. 2006 ABA REPORT ON EL CENTRO SPC

A review of the 2006 ABA report on El Centro SPC shows that problems persist with regard to privacy for private phone calls, access to legal materials, and housing of violent detainees. The 2006 ABA report indicated that detainees’ privacy was very limited when making phone calls because all phones were grouped together in open, close-quartered common

---

3 Notes of delegation member on conversation with Acting Officer in Charge (“OIC”).
4 Notes of delegation member on conversation with Acting OIC.
5 Notes of delegation member on conversation with Acting OIC.
6 Notes of delegation member on conversation with Acting OIC.
7 Notes of delegation member, on conversation with Acting OIC.
areas surrounded by other detainees or guards.\textsuperscript{8} The 2006 report also indicated a lack of required legal materials in the facility law library.\textsuperscript{9} Lastly, the report stated that violent or disruptive detainees were often housed with the general non-violent detainee population.\textsuperscript{10} These problems have apparently not been resolved.

\section*{IV. LEGAL ACCESS STANDARDS}

\subsection*{A. Visitation}

\subsubsection*{1. Visitation by Attorneys}

The Standards require that facilities permit legal visitation seven days per week.\textsuperscript{11} Attorneys should have access to their clients eight hours per day during the week and four hours per day during the weekend.\textsuperscript{12} The visits must be private, and should not be interrupted for head counts.\textsuperscript{13} Facilities should establish a procedure by which attorneys may call to determine whether a detainee is housed in a particular facility.\textsuperscript{14} Detention centers should permit visits from attorneys, other legal representatives, legal assistants, and interpreters.\textsuperscript{15} If standard operating procedures at the facility require strip searches after contact visits with a legal representative, then the facility must provide an option for confidential non-contact visits with legal representatives and a mechanism to exchange documents.\textsuperscript{16}

\textbf{El Centro SPC substantially meets this section of the Standards; however, one detainee stated that he is subject to a strip search after all non-contact visits.} Attorneys may visit the detainees seven days per week, and are also offered the option of telephone conferences with their clients.\textsuperscript{17} Law students and interpreters may meet with detainees as long as they or an attorney have made a formal request to the El Centro SPC staff.\textsuperscript{18}

Attorneys are not allowed to schedule visits that start during counts, which occur at 8 a.m., 3:30 p.m., and 10:00 p.m.\textsuperscript{19} However, an attorney may continue a visit that starts earlier and runs into a count or mealtime.\textsuperscript{20}

\begin{footnotesize}
\begin{enumerate}
\item客人 report.
\item客人 report.
\item客人 report.
\item客人 Detention Operations Manual, Detainee Services, Standard 17, Section III.I.2.
\item客人 Detention Operations Manual, Detainee Services, Standard 17, Section III.I.2.
\item客人 Detention Operations Manual, Detainee Services, Standard 17, Section III.I.6.
\item客人 Detention Operations Manual, Detainee Services, Standard 17, Section III.I.3.
\item客人 Detention Operations Manual, Detainee Services, Standard 17, Section III.I.11.
\item客人 Notes of delegation member on conversation with Acting OIC.
\item客人 Notes of delegation member on conversation with Acting OIC.
\item客人 Notes of delegation member on conversation with Acting OIC.
\end{enumerate}
\end{footnotesize}
The facility has four attorney visitation booths. All visits are non-contact, with a Plexiglas divider between the detainee and the attorney. An attorney can exchange documents with a detainee through a monitored window. According to Officer, attorneys are not searched, and if documents are not exchanged, then detainees are also not subject to a search. If documents are exchanged, Officer stated that a detainee is only subject to a pat down search. An officer must justify in writing the need for any strip search. However, one detainee told us that he was always strip searched after non-contact visits, including legal visits.

Attorneys may call El Centro SPC to determine whether their client is being housed at the facility. According to Officer, El Centro SPC will go out of their way and perform a name search if an attorney does not know a detainee’s Alien Identification Number.

2. Visitation by Family and Friends

To maintain detainee morale and family relationships, the Standards encourage visits from family and friends. The Standards require that facilities establish written visitation hours and procedures, post them where detainees can see them, and make them available to the public. This includes procedures for handling incoming money for detainees. The visiting area is to be “appropriately furnished and arranged, and as comfortable and pleasant as practicable.” Visiting hours shall be set on Saturdays, Sundays, and holidays, and the Standards encourage facilities to accommodate visitors at other times when they are facing a particular hardship. Visits should be at least 30 minutes long, and longer when possible.

Notes of delegation member on conversation with Officer.

Observations of delegation member.

Notes of delegation member on conversation with Officer.

Notes of delegation member on conversation with Officer.

Notes of delegation member on conversation with Officer.

Notes of delegation member on conversation with Officer.

Notes of delegation member on conversation with Acting OIC.

Notes of delegation member on conversation with detainee.

Notes of delegation member on conversation with Officer.

Notes of delegation member on conversation with Officer.

Detention Operations Manual, Detainee Services, Standard 17, Section I.

Detention Operations Manual, Detainee Services, Standard 17, Section III.A & B.

Detention Operations Manual, Detainee Services, Standard 17, Section III.D.

Detention Operations Manual, Detainee Services, Standard 17, Section III.G.


Visits should be granted to detainees in both disciplinary and administrative segregation unless a detainee violates the visitation rules or threatens the security of the visitation room.  

**El Centro SPC does not meet this section of the Standards with regard to Level 3 detainees, who may receive visitors for only about twenty minutes and are subject to unposted, limited visiting hours.** While its visitation policies meet the Standards for Level 1 and Level 2 detainees, the visitations afforded to Level 3 detainees do not meet the Standards. The visitation schedule for Level 1 and Level 2 detainees is clearly posted on the bulletin boards in each barracks and the front door. The schedule ensures that each detainee may receive visitors on Saturdays, Sundays, and holidays. Visits generally last for 45 minutes. However, if demand for visitation is high, the maximum time allowed will be lowered to allow all detainees to see their visitors, although this generally only occurs on holidays. All visits are non-contact, and children are permitted to visit. 

According to Level 3 detainees, a more restricted, unposted visitation schedule applies to them. One Level 3 detainee reported that Level 3 detainees are only permitted to receive visitors after 9:00 p.m. on weekdays or at 8:30 a.m. on weekends. Detainees also reported that visits for Level 3 detainees are limited to about 20 minutes. 

If a detainee expects visitors from out of town, the detainee can make a written request for a longer visitation or different visitation hours. Officer Munoz reported that concessions are generally granted for these out of town visitors. However, the detainees interviewed, each of whom was Level 3, reported that concessions were not made for their out of town visitors. One detainee’s family visited from Northern California, but was unaware that the visitation schedule for Level 3 detainees was different than the posted schedule. This detainee’s visitors came to the facility during regular visiting hours and were refused admittance, requiring them to
leave and come back another day.\textsuperscript{49} Another detainee reported that he requested extra time to visit with a friend visiting from Northern California, which officials refused.\textsuperscript{50} He was given only fifteen minutes to visit with him.\textsuperscript{51} Another day, his wife and children visited from Colorado, but he was only given thirty minutes to visit with them.\textsuperscript{52} Another detainee said he was not aware that special arrangements could be made for out of town visitors.\textsuperscript{53}

\textbf{B. Telephone Access}

\textbf{1. General Requirements}

The Standards require that facilities provide detainees with reasonable and equitable access to telephones during established facility waking hours.\textsuperscript{54} In order to meet this requirement, facilities must provide at least one telephone for every twenty-five detainees.\textsuperscript{55} The Standards also require that telephone access rules be provided in writing to each detainee upon admittance, and that the rules be posted where detainees may easily see them.\textsuperscript{56}

\textbf{El Centro SPC meets this Standard.} Each housing unit has its own set of phones and the number was approximately one phone per fifteen detainees.\textsuperscript{57} Detainees, including those in the SMU, have access to the phone throughout the day.\textsuperscript{58}

Telephone usage rules and instructions regarding usage of the phones are posted next to the phones in both English and Spanish.\textsuperscript{59} The phone numbers of local consulates are posted by each phone or bank of phones in the facility.\textsuperscript{60}

\textbf{2. Direct Calls and Free Calls}

The Standards allow facilities to generally restrict calls to collect calls;\textsuperscript{61} however, the facility must permit detainees to make direct calls to the local immigration court and the Board of Immigration Appeals, federal and local courts, consular officials, legal service providers,
government offices, and to family members in case of emergency. The facility shall not require indigent detainees to pay for these types of calls if local, nor for non-local calls if there is a compelling need. In addition, the facility “shall enable all detainees to make calls to the provided list of free legal service providers and consulates at no charge to the detainee or the receiving party.”

El Centro SPC substantially meets this section of the Standards; detainees are able to make calls to local legal service providers and consulates at no charge. The delegation observed notification of the ability to place free calls posted on bulletin boards by barracks phone banks. One member of the delegation tested a phone and successfully placed a free call to a foreign consulate using the instructions posted next to the phone banks. Still, one detainee was not aware of their ability to make free calls. However, another detainee reported that he was once permitted to use a supervisor’s phone to call his attorney for no charge when he did not have any money.

3. Telephone Access to Legal Representatives

The Standards provide that the facility shall not restrict the number of calls a detainee places to his/her legal representatives, nor limit the duration of such calls by automatic cutoff, unless necessary for security purposes or to maintain orderly and fair access to telephones. If time limits are necessary, they shall be no shorter than twenty minutes. The Standards require that the facility ensure privacy for detainees’ telephone calls regarding legal matters, and that calls shall not be electronically monitored absent a court order.

El Centro SPC substantially meets this section of the Standards; however, detainees may not be able to make private calls. Telephone calls made by detainees are not automatically disconnected after a set period of time, although calls often randomly disconnect. Detainees appear to be unable to make private telephone calls. Phones are located in the public dayrooms and separated by only a few feet and small partitions. Facility personnel explained

---

62 Detention Operations Manual, Detainee Services, Standard 16, Section III.E.
63 Detention Operations Manual, Detainee Services, Standard 16, Section III.E.
64 Detention Operations Manual, Detainee Services, Standard 16, Section III.E.
65 Delegation observations.
66 Observations of delegation member
67 Notes of delegation member on conversation with detainee
68 Notes of delegation member on conversation with detainee
69 Detention Operations Manual, Detainee Services, Standard 16, Section III.F.
70 Detention Operations Manual, Detainee Services, Standard 16, Section III.F.
71 Detention Operations Manual, Detainee Services, Standard 16, Section III.J.
72 Notes of delegation member on conversations with detainees and
73 Notes of delegation member on conversation with detainee
74 Observations of delegation member
that if a private call is necessary a detainee can specially request and arrange one, although no formal guidelines existed. However, one detainee reported that his request to El Centro SPC staff to arrange a private phone call was denied. El Centro SPC personnel reported that no calls are monitored, and the detainees interviewed do not believe that calls are being monitored. However, one detainee who wrote a letter to a member of the delegation stated that phone calls are subject to monitoring and recording. El Centro SPC staff members are usually present when detainees make phone calls.

4. Incoming Calls and Messages

The Standards require that facilities take and deliver messages from attorneys and emergency incoming telephone calls to detainees as promptly as possible. If the facility receives an emergency telephone call for a detainee, the Standards suggest that the facility obtain the caller’s name and number and permit the detainee to return the emergency call as soon as possible.

El Centro SPC substantially meets this section of the Standards; however, information provided by Officers and two detainees conflicts with information provided by another detainee. Officer stated that messages are delivered on the day they are received, Monday through Friday, and Officer stated that messages are delivered immediately upon receipt. While two detainees agreed that messages were promptly delivered, another detainee stated that on two occasions messages from his attorney were delivered two to three days after the message was taken.

5. Telephone Privileges in Special Management Unit
The Standards provide that detainees in the Special Management Unit ("SMU") for disciplinary reasons shall be permitted to make direct and/or free calls, except under compelling security conditions.  

**El Centro SPC meets this section of the Standards.** Detainees at El Centro SPC placed in the SMU for disciplinary reasons have full access to telephones. One detainee temporarily placed in the SMU noted that SMU staff gave him ample opportunity to use the phones.

### C. Access to Library and Legal Materials

All facilities “shall permit detainees access to a law library, and provide legal materials, facilities, equipment and document copying privileges, and the opportunity to prepare legal documents.”

1. **Library Access**

The Standards suggest that each facility shall have a flexible schedule for law library use that permits all detainees, regardless of housing or classification, to use the law library on a regular basis. Each detainee shall be permitted to use the law library for a minimum of five hours per week.

**El Centro SPC meets this section of the Standards.** El Centro SPC permits all detainees to use the law library for one hour per day, and allows the detainees to spend extra time in the library if needed. Detainees can access the library for about four hours on Saturday and two hours on Sunday. Detainees’ regularly scheduled library time does not conflict with their recreation time. However, if a detainee needs extra library time, he must choose between using the library and taking recreation time. While the library’s maximum occupancy is fifteen to twenty people, a rotating schedule has been developed so that only a limited number of detainees will use the library at one time. More than fifteen to twenty detainees seldom want to use the

---

85 Detention Operations Manual, Detainee Services, Standard 16, Section III.G.
86 Notes of delegation member on conversation with Acting OIC observations of delegation member.
87 Notes of delegation member on conversation with detainee.
88 Detention Operations Manual, Detainee Services, Standard 1, Section I.
89 Detention Operations Manual, Detainee Services, Standard 1, Section III.G.
90 Detention Operations Manual, Detainee Services, Standard 1, Section III.G.
91 Notes of delegation member on conversation with Acting OIC.
92 Notes of delegation member on conversation with detainee.
93 Notes of delegation member on conversation with Acting OIC.
94 Notes of delegation member on conversation with detainee.
95 Notes of delegation member on conversation with Acting OIC.
2. **Library Conditions**

The Standards require that a facility provide a law library with sufficient space to facilitate detainees’ legal research and writing. Furthermore, the law library must be large enough “to provide reasonable access to all detainees who request its use. It shall contain a sufficient number of tables and chairs in a well-lit room, reasonably isolated from noisy areas.”

**El Centro SPC does not fully meet this section of the Standards because computers are often inoperable.** El Centro SPC has one law library. It is well lit, has ample space, and is well-isolated from noise and foot traffic. The library provides access to five computers, four typewriters, a copy machine, and other desks and chairs. Additionally, this library is located in an enclosed room that is free of distractions and noise.

One detainee reported that computers were often inoperable or unavailable. Often, computers are unavailable because they are all being used by detainees. Also, at times the facility allows passwords for the LexisNexis software to expire, rendering the software inoperable. Officer also stated that there is sometimes a problem with the LexisNexis passwords expiring. One detainee reported that, about three months before the interview, the facility went four or five weeks without an operable computer.

3. **Materials Identified in the Detention Standards**

The Standards require that all facility law libraries contain the materials listed in Attachment A to the chapter on Access to Legal Materials. These materials must be updated regularly, and information must be added on significant regulatory and statutory changes.

---

96 Notes of delegation member on conversation with Acting OIC

97 Notes of delegation member on conversation with Acting OIC

98 Detention Operations Manual, Detainee Services, Standard 1, Section III.A.

99 Detention Operations Manual, Detainee Services, Standard 1, Section III.A.

100 Notes of delegation member on conversation with Acting OIC

101 Observations of delegation member

102 Observations of delegation member

103 Observations of delegation member

104 Notes of delegation member on conversation with detainee

105 Notes of delegation member on conversation with detainee

106 Notes of delegation member on conversation with detainee

107 Notes of delegation member on conversation with Officer

108 Notes of delegation member on conversation with detainee

109 Detention Operations Manual, Detainee Services, Standard 1, Section III.C.
regarding detention and deportation of aliens in a timely manner.\textsuperscript{110} Damaged or stolen materials must be promptly replaced.\textsuperscript{111}

El Centro SPC appears to meet this section of the Standards, although it was unclear whether all of the required materials were available on the LexisNexis CD ROM. Officer\textsuperscript{b6, b7C} informed us that ICE recently announced that the legal materials listed in Attachment A were no longer required.\textsuperscript{112} Instead, ICE only requires facilities to provide detainees with access to a standardized LexisNexis CD ROM of immigration law materials on each computer.\textsuperscript{113} Despite this policy change, the facility will continue to maintain its hardcopy library.\textsuperscript{114} While LexisNexis provides access to numerous legal materials, a delegation member who reviewed the LexisNexis CD ROM was unable to find some of the secondary resources listed on Attachment A to the chapter on Access to Legal Materials—the delegation member had some difficulty navigating the disc.\textsuperscript{115} Still, the facility’s library was updated with all of the required hardcopy books listed on Attachment A.\textsuperscript{116} The LexisNexis CD ROM is updated quarterly and the hardcopy library is now updated annually.\textsuperscript{117} It is difficult for detainees to navigate the CD ROMs and they need instruction on how to use the software.\textsuperscript{118} The facility does provide library workers to help detainees find useful materials, but does not train detainees on how to operate the software.\textsuperscript{119} As mentioned in the previous section, computers are sometimes inoperable or unavailable, which at times makes accessing the CD ROMs difficult if not impossible.\textsuperscript{120}

4. Library Equipment and Supplies

The Standards require that facility law libraries provide an adequate number of typewriters and/or computers, writing implements, paper, and office supplies to enable detainees to prepare documents for legal proceedings.\textsuperscript{121} Staff must inspect this equipment at least weekly

\textsuperscript{110} Detention Operations Manual, Detainee Services, Standard 1, Section III.E.

\textsuperscript{111} Detention Operations Manual, Detainee Services, Standard 1, Section III.F.

\textsuperscript{112} Notes of delegation member on conversation with Acting OIC.

\textsuperscript{113} Notes of delegation member on conversation with Acting OIC.

\textsuperscript{114} Notes of delegation member on conversation with Acting OIC.

\textsuperscript{115} Observations of CD ROM by delegation member.

\textsuperscript{116} Observations and Notes of delegation members.

\textsuperscript{117} Notes of delegation member on conversation with a Compliance Officer.

\textsuperscript{118} Notes of delegation member on conversation with detainee.

\textsuperscript{119} Notes of delegation member on conversation with Acting OIC.

\textsuperscript{120} Notes of delegation member on conversation with detainee.

\textsuperscript{121} Detention Operations Manual, Detainee Services, Standard 1, Section III.B.
to ensure equipment is in working order and to stock sufficient supplies. In addition, indigent detainees must be provided free envelopes and stamps for legal mail.

**El Centro SPC meets this section of the Standards.** The library has five computers, four typewriters, a recently purchased copy machine, and three printers. While detainees complained that the computers are often out of service, they all appeared to function properly during our visit. Also, while the old copy machine often broke down, the copy machine recently purchased by the facility performs adequately. Library workers inspect all equipment at the beginning and end of the day. The facility also provides pencils, free envelopes, and stamps for domestic mail to all detainees. If a detainee needs to send international mail, someone from the outside has to send him stamps.

5. **Photocopies/ Printing**

The Standards provide that each facility shall ensure that detainees can obtain photocopies of legal materials, when such copies are reasonable and necessary for legal proceedings involving the detainee. Enough copies must be provided so that a detainee can fulfill court procedural rules and retain a copy for his records. Facility personnel may not read a document that on its face is clearly related to a legal proceeding involving the detainee.

**El Centro SPC meets this section of the Standards.** El Centro SPC allows detainees to have a reasonable number of copies made free of charge. If an inmate asks a library worker, he will make copies of whatever documents the detainee needs. While detainees said that facility personnel were under pressure to keep the number of copies made low, none had strong

---

122 Detention Operations Manual, Detainee Services, Standard 1, Section III.B.
123 Detention Operations Manual, Detainee Services, Standard 1, Section III.N.
124 Observations of delegation member on conversation with Acting OIC.
125 Notes of delegation member on conversation with detainee.
126 Notes of delegation member on conversation with Acting OIC.
127 Notes of delegation member on conversation with Acting OIC.
128 Notes of delegation member on conversation with Acting OIC.
129 Notes of delegation member on conversation with Acting OIC.
130 Detention Operations Manual, Detainee Services, Standard 1, Section III.J.
131 Detention Operations Manual, Detainee Services, Standard 1, Section III.J.
132 Detention Operations Manual, Detainee Services, Standard 1, Section III.J.
133 Notes of delegation member on conversation with Acting OIC.
134 Notes of delegation member on conversation with Acting OIC.
complaints about this system. A detainee can also print cases and legal materials from the Lexis CD ROM, within reason.

6. Assistance From Other Detainees

The Standards require that each facility permit detainees to assist other detainees in researching and preparing legal documents upon request, except when such assistance poses a security risk. El Centro SPC meets this section of the Standards. Detainees are allowed to assist other detainees with research as long as they have the same security classification. One detainee reported helping numerous detainees with research, although facility staff did not allow him to teach classes on how to type or effectively use the library. While this detainee helps illiterate and non-English speaking detainees to the best of his ability, he likens his assistance to “the blind leading the blind,” and does not know how much his assistance actually helps.

7. Notice to Detainees

The Standards require that the detainee handbook provide detainees with the rules and procedures governing access to legal materials.

El Centro SPC meets this section of the Standard: the handbook provides detainees with the rules and procedures governing access to legal materials.

D. Group Rights Presentations

The Standards provide that facilities holding ICE detainees “shall permit authorized persons to make presentations to groups of detainees for the purpose of informing them of U.S. immigration law and procedures, consistent with the security and orderly operation of each facility.” Informational posters are to be prominently displayed in the housing units at least forty-eight hours in advance of a scheduled presentation. While the presentations are open to all detainees, the facility “may limit the number of detainees at a single session.”

---

shall select and provide an environment conducive to the presentation, consistent with security.”146 In addition, detainees shall have regular opportunities to view an “INS-approved videotaped presentation on legal rights.”147

It is unclear whether El Centro SPC fully meets this section of the Standards; one detainee did not recall seeing the video presentation on legal rights. According to El Centro SPC personnel, a group can make a presentation as long as it is pre-approved by the San Diego ICE office.148 However, no groups have recently given group rights presentations.149

Officer stated that when detainees first arrive at El Centro SPC, a video on detainee rights is played continuously in English and Spanish.150 At least one detainee had no recollection of seeing this video.151

V. OTHER PROVISIONS OF THE ICE DETENTION STANDARDS

A. Correspondence and Other Mail

The Standards require that detainees be allowed to send and receive correspondence in a timely manner, subject to limitations required for safety, security, and orderly operation of the facility.152 General correspondence shall normally be opened and inspected for contraband in the presence of the detainee, but may be opened and even read outside the presence of the detainee if security reasons exist for doing so.153 Special correspondence—which includes all written communication to or from attorneys, legal representatives, judges, courts, government officials, and the news media—is treated differently.154 Incoming special correspondence can be inspected for contraband only in the presence of the detainee, but it can never be read or copied.155 Outgoing special correspondence may not be opened, inspected, or read.156

The detainee handbook must specify how to address correspondence, the definition of special correspondence and how it should be labeled, and the procedure for purchasing postage and rules for providing indigent detainees free postage.157 The Standards also require that

146 Detention Operations Manual, Detainee Services, Standard 9, Section III.E.
147 Detention Operations Manual, Detainee Services, Standard 9, Section III.I.
148 Notes of delegation member on conversation with Acting OIC.
149 Notes of delegation member on conversation with Acting OIC.
150 Notes of delegation member on conversation with Acting OIC.
151 Notes of delegation member on conversation with detainee.
152 Detention Operations Manual, Detainee Services, Standard 3, Section I.
153 Detention Operations Manual, Detainee Services, Standard 3, Sections III.B & E.
154 Detention Operations Manual, Detainee Services, Standard 3, Sections III.B, E, & F.
155 Detention Operations Manual, Detainee Services, Standard 3, Sections III.B & E.
156 Detention Operations Manual, Detainee Services, Standard 3, Sections III.B & F.
157 Detention Operations Manual, Detainee Services, Standard 3, Sections III.B.
facilities provide indigent detainees with free envelopes and stamps for mail related to a legal matter, including correspondence to a legal representative, potential representative, or any court. Finally, the Standards require that facilities notify detainees of specific information regarding correspondence policies.

**El Centro SPC substantially meets this section of the Standards; however, information provided by El Centro SPC personnel and one detainee conflicts with information provided by two other detainees who stated that mail may not always be delivered and can be slow.** El Centro SPC personnel report that mail is delivered to detainees Monday through Friday, no more than twenty-four hours after being delivered to the facility. According to personnel, no letters are rejected. If a package is not pre-approved by facility personnel, it will be rejected and notification letters will be sent to the sender and recipient. Detainees stated that special correspondence is opened in the presence of the detainee. The facility also provides all detainees with stamps and envelopes.

One detainee noted that generally the mail service was quite good. However, two of the four detainees had complaints about the mail. One detainee stated that the mail seems slow. He has also had problems sending mail. Once, a letter that he sent to the Director of ICE was returned to him undelivered for the reason that it failed to list the Director’s A-number. Another detainee noted that it took more than one day for the facility to deliver mail. After his interview, this detainee sent several letters with various documents to a member of the delegation. One of these letters, which the detainee said he mailed on August 9, 2007, was postmarked August 14, 2007 and returned to the detainee because the facility attached insufficient postage. When the detainee resent the letter, using stamps he purchased himself, the letter was delivered on August 28, 2007. As the envelope itself did not have a dated postmark, it is impossible to know for certain how many days it took to be processed and processed.
delivered. The detainee stated that he sent three additional letters to the delegation member, but the delegation member has received only one other letter. He therefore believes his mail to the delegation is purposefully being held back.

B. Detainee Handbook

The Standards require that every Officer in Charge develop a site-specific detainee handbook to serve as an overview of detention policies, rules, and procedures. Every detainee should receive a copy of the handbook upon admission to the facility. The handbook will be written in English and translated into Spanish and other prevalent languages as appropriate. The handbook must include visitation hours and rules. The handbook must notify detainees of the facility correspondence policy. The grievance section of the handbook must provide notice of the opportunity to file both formal and informal grievances and the procedures for filing grievances and appeals. The handbook must provide notice of the facility’s rules of conduct and the sanctions imposed. It must advise detainees of rights including the right to protection from abuse, right to freedom from discrimination, and right to pursue a grievance. The handbook must also state that detainees have the opportunity to submit written questions, requests, or concerns to ICE staff and the procedures for doing so. The Officer in Charge will provide a copy of the handbook to every staff member who has contact with detainees.

It is unclear whether El Centro SPC fully meets this section of the Standards: the facility permitted the delegation to see a Handbook, but informed the delegation that it could not be disseminated. The Handbook was recently revised. Detainees reported receiving the Handbook upon entering the facility. However, one detainee reported that the

173 Observation of delegation member
174 Letter from Detainee to observation of
175 Letter from Detainee
176 Detention Operations Manual, Detainee Services, Standard 6, Section I.
177 Detention Operations Manual, Detainee Services, Standard 6, Section I.
178 Detention Operations Manual, Detainee Services, Standard 6, Section III.E.
179 Detention Operations Manual, Detainee Services, Standard 17, Section III.B.
180 Detention Operations Manual, Detainee Services, Standard 3, Section III.B.
181 Detention Operations Manual, Detainee Services, Standard 5, Section III.G.
185 Detention Operations Manual, Detainee Services, Standard 6, Section III.H.
186 Delegation observations.
187 Notes of delegation member on Detainee Handbook.
188 Notes of delegation member on conversations with detainees and notes of delegation member on conversations with detainee and notes of delegation member on conversations with detainee
procedures outlined in the Handbook were not always followed. He stated that facility personnel often “do their own thing” instead of following the Handbook. Another detainee believed that the Handbook accurately described conditions in the facility.

C. Recreation

The Standards require that all detainees have access to recreational programs and activities, under conditions of security and safety. Detainees should be housed in facilities with outdoor recreation. If a facility only provides indoor recreation, detainees must have access for at least one hour per day, including exposure to natural light. Detainees should have access to “fixed and movable equipment,” including opportunities for cardiovascular exercise, and games and television in dayrooms. Under no circumstances will a facility require detainees to forego law library privileges for recreation privileges.

It is unclear whether El Centro SPC fully meets this section of the Standards; one detainee reported that more than half of the allotted recreation time is spent waiting in line. El Centro SPC has indoor and outdoor recreation facilities. Every detainee is afforded of one hour of recreation time per day. Detainees can play basketball, soccer, or run outdoors, while indoors they can play board games, table tennis, and have access to musical instruments. The facility also employs a recreation specialist. Still, one detainee noted that, while recreation time was technically an hour, the detainees are required to spend thirty-five of those minutes in line for their daily change of clothing in the laundry room, which takes place during the recreation period.

D. Access to Medical Care

The Standards require that all detainees have access to medical services that promote detainee health and general well-being. Each facility is required to have regularly scheduled

---

189 Notes of delegation member on conversations with detainee
190 Notes of delegation member on conversations with detainee
191 Notes of delegation member on conversations with detainee
192 Detention Operations Manual, Detainee Services, Standard 13, Section I.
193 Detention Operations Manual, Detainee Services, Standard 13, Section III.A, which also provides that “all new or renegotiated contracts and IGSAs will stipulate that INS detainees have access to an outdoor recreation area.”
194 Detention Operations Manual, Detainee Services, Standard 13, Section III.B.
195 Detention Operations Manual, Detainee Services, Standard 13, Section III.G.
196 Detention Operations Manual, Detainee Services, Standard 13, Section III.B.
197 Notes of delegation member on conversation with Acting OIC
198 Notes of delegation member on conversation with Acting OIC
199 Notes of delegation member on conversation with Acting OIC
200 Notes of delegation member on conversation with Acting OIC
201 Notes of delegation member on conversation with detainee
202 Detention Operations Manual, Health Services, Standard 2, Section I.
times, known as sick call, when medical personnel are available to see detainees who have requested medical services.\textsuperscript{203} For a facility of over 200 detainees, there must be sick call five days per week.\textsuperscript{204} Facilities must also have procedures in place to provide emergency medical care for detainees who require it.\textsuperscript{205} With respect to emergency care, the Standards state that in a situation in which a detention officer is uncertain whether a detainee requires emergency medical care, the officer should immediately contact a health care provider or an on-duty supervisor.\textsuperscript{206} If a detainee is diagnosed as having a medical or psychiatric condition requiring special attention (e.g., special diet), the medical care provider is required to notify the Officer in Charge in writing.\textsuperscript{207}

\textbf{It is unclear whether El Centro SPC fully meet this section of the Standards; information provided by El Centro SPC personnel conflicts with information provided by the detainees, who stated that care can be slow and is not adequate for those in longer-term detention. In two cases the facility has not provided operations that doctors have prescribed. One detainee was denied prescribed medication for several days because a facility computer crashed.} All detainees at El Centro SPC are screened for medical issues upon their initial processing, which takes place on the day they arrive at the facility.\textsuperscript{208} Each detainee is given a brief medical examination, including x-rays for tuberculosis.\textsuperscript{209} The tuberculosis x-rays are processed off-site and returned to the facility within 4 hours.\textsuperscript{210} The infirmary has four isolation rooms used to separate those with tuberculosis and other communicable diseases. It is also used for suicide watch.\textsuperscript{211} The facility has one clinical doctor, two physician assistants, and one nurse practitioner on call, and always maintains two nurses on staff.\textsuperscript{212} The facility provides triage service in the case of emergency but does not perform any surgery.\textsuperscript{213} Furthermore, regular mass injury triage drills are conducted for the staff.\textsuperscript{214} There is a pharmacy and pharmacy technician on-site.\textsuperscript{215} Sick call is available seven days per week. Officer Munoz reported that detainees will receive all non-cosmetic medical care that they need, and that

\begin{itemize}
  \item \textsuperscript{203}Detention Operations Manual, Health Services, Standard 2, Section III.F.
  \item \textsuperscript{204}Detention Operations Manual, Health Services, Standard 2, Section I.
  \item \textsuperscript{205}Detention Operations Manual, Health Services, Standard 2, Section III.A, D, and G.
  \item \textsuperscript{206}Detention Operations Manual, Health Services, Standard 2, Section III.H.
  \item \textsuperscript{207}Detention Operations Manual, Health Services, Standard 2, Section III.J.
  \item \textsuperscript{208}Notes of delegation member, on conversation with Acting OIC.
  \item \textsuperscript{209}Notes of delegation member, on conversation with Acting OIC.
  \item \textsuperscript{210}Notes of delegation member, on conversation with Acting OIC.
  \item \textsuperscript{211}Notes of delegation member, on conversation with Acting OIC.
  \item \textsuperscript{212}Notes of delegation member, on conversation with Acting OIC.
  \item \textsuperscript{213}Notes of delegation member, on conversation with Acting OIC.
  \item \textsuperscript{214}Notes of delegation member, on conversation with Acting OIC.
  \item \textsuperscript{215}Notes of delegation member, on conversation with Acting OIC.
\end{itemize}
detainees are not released from the facility until administrators are confident the detainee has adequate healthcare outside of the facility.\textsuperscript{216}

According to the facility administrators, when a sick call request is put in by a detainee, the detainee is seen within twenty-four hours.\textsuperscript{217} According to the detainees interviewed, the turnaround time is closer to forty-eight to seventy-two hours.\textsuperscript{218} According to one detainee, when a sick call request is put in, a detainee will see a nurse who performs a screening and determines whether the detainee needs to see a doctor.\textsuperscript{219} He also stated that if there is an emergency medical need, a detainee will be immediately seen, and if it is determined that immediate care is necessary, the detainee will be taken to the local hospital.\textsuperscript{220}

The facility is in the process of hiring a full-time mental health provider, but currently has an on-call psychologist who visits twice per week and a contract psychiatrist who visits as needed.\textsuperscript{221} Detainees who need mental health services are identified during the initial medical screening or when the detainee says he needs help, threatens to hurt himself, or otherwise acts in an alarming way.\textsuperscript{222}

All of the detainees interviewed had complaints about the medical care. These complaints ranged from long waits to see a doctor, to lack of resources to provide anything but basic remedies like pain killers and fungal creams.\textsuperscript{223} In general the detainees felt that the medical care was adequate for detainees in custody for less than six months, but the long-term medical care was not sufficient.\textsuperscript{224} In the words of one detainee, “If [they] don’t watch it, someone is going to die here.”\textsuperscript{225} Detainee wrote the following in a grievance he filed with the facility expressing his discontent with the medical care:

\begin{quote}
Action requested by detainee: To be treated with dignity and respect and not like animals. There has been some dangerous cases and instances where detainees could have
\end{quote}
lost some limbs and maybe even their lives because detainees were diabetic. WE NEED PROPER MEDICAL CARE WITH RESPECT AS HUMAN BEINGS, not cattle.226

Approximately three weeks before the delegation’s visit, Detainee was rushed to the emergency room with chest pains and was told that he needs a pacemaker.227 The facility has been non-responsive to his inquiries into these medical needs.228 As a result, Mr. fears that he may die before he receives the required medical attention.229

Detainee had several complaints. First, the facility is aware that he requires a special diet to control his diabetes.230 However, when he complained about the special meals, they took away his special meals card and refused his subsequent requests for special meals.231 Additionally, the facility refused his requests to have his blood sugar level tested.232 Second, he has an extremely painful ingrown toenail that the doctors refuse to treat, despite the fact that it sometimes prevents him from walking.233 Third, he has a heart condition that requires careful monitoring of his blood pressure.234 However, the medical staff will not check his blood pressure when he requests it.235 Finally, he needs new glasses, which the facility refuses to provide.236 He is in need of an eye exam and has offered to pay for his own exam and eyeglasses, but his request for an exam continues to be denied.237

Detainee has shoulder problems that required surgery in 2005 and cause him tremendous pain.238 However, the inability of the facility to provide therapy post-surgery has caused his injury not to heal properly and requiring him to rely on pain killers.239 The facility only offers four types of pain killers, three of which cause Mr. to bleed internally.240 Therefore, he was prescribed the fourth type of painkiller, which is a narcotic, although he was
not informed of this fact. The drug’s effectiveness started wearing off, but when he stopped taking it, he went into severe withdrawal because he had, unknowingly, become addicted to the drug. Mr. is now taking the drug again because it is the only painkiller the facility will give him, but he believes that the drug is damaging his internal organs. Doctors have told him that the side effects of the drug are bad, but that they are unable to do anything additional to help him. Doctors have also told him that he needs to have another operation on his shoulder, but that the facility will not give him the operation.

Detainee also has complaints about the way he is treated by the medical staff. stated that Dr., the facility’s main doctor, was tired of receiving his medical requests and refuses to see him. Therefore, he only sees Dr., who is not based out of the El Centro facility and is often away from the facility for weeks. When Dr. is not available, Mr. does not receive medical attention. In these instances, when Mr. Forero seeks medical care from Dr. he is given the “runaround” and “treated very nast[ily]” and told that “[your] doctor is.”

Additionally, Mr. has difficulties receiving and taking medicine according to physician instructions. First, he is prescribed a gastrointestinal medicine that his physician instructed him to take at night. However, the facility staff refuses to give it to him at night and instead make him take it in the morning. Second, approximately two weeks before he was interviewed, facility computers that housed detainee prescription information crashed. He went several days without his blood pressure medication before the facility staff got the computer on line and provided him with his medication.

A fifth detainee wrote a letter to a member of the delegation describing his concern with the medical care provided at the facility. He is in need of new eye glasses or contact lenses.

241 Notes of delegation member, on conversation with detainee
242 Notes of delegation member, on conversation with detainee
243 Notes of delegation member, on conversation with detainee
244 Notes of delegation member, on conversation with detainee
245 Notes of delegation member, on conversation with detainee
246 Notes of delegation member, on conversation with detainee
247 Notes of delegation member, on conversation with detainee
248 Notes of delegation member, on conversation with detainee
249 Notes of delegation member, on conversation with detainee
250 Notes of delegation member, on conversation with detainee
251 Notes of delegation member, on conversation with detainee
252 Notes of delegation member, on conversation with detainee
253 Notes of delegation member, on conversation with detainee
254 Notes of delegation member, on conversation with detainee
255 Notes of delegation member, on conversation with detainee
but the facility refuses to provide an eye exam.  He was informed that his family may purchase and send him glasses or contacts but the detainee stated that without an exam his family will not know what prescription he needs.  According to his letter, his request to pay for the exam himself was denied for security reasons.

Two detainees indicated the medical staff genuinely wants to help them, but they simply do not have the resources to do so.  To this end, Officer informed us that a majority of the facility’s budget goes to medical care.

E. Access to Dental Care

The Standards require that detainees have an initial dental screening exam within 14 days of the detainee’s arrival, and require the facility to provide emergency dental treatment and repair of prosthetic appliances.  For detainees who are held in detention for over six months, routine dental treatment may be provided, including amalgam and composite restorations, prophylaxis, root canals, extractions, x-rays, the repair and adjustment of prosthetic appliances and other procedures required to maintain the detainee’s health.

El Centro SPC does not meet this section of the Standards.  The detainees do not receive the initial dental screening required under the Standards. According to one detainee, the dentist only comes about twice per month, during which time he has to see everybody.  One detainee with tooth problems has repeatedly been told that the facility does not have a dentist who can see him.  Another detainee noted that all the dentist will do is pull teeth.  One detainee wrote the following in a letter to ICE administrators:

I have filled out and sent many requests for dental help at ICE . . . finally, I guess because they saw I was not going to leave them alone, they called me in only to tell me that they do not do dental work to [anybody] unless you have been detained one whole year . . . So, I [sent] a dental request a couple of days afterwards of my year [in detention], and about 7 more requests within a period of time of about 3 months and . . . NOTHING! They never called me or answered my requests anymore. . . . Based on this personal

---

260 Notes of delegation members and , on conversations with detainees.
261 Notes of delegation member on conversation with Acting OIC.
262 Detention Operations Manual, Health Services, Standard 2, Section III.E.
263 Detention Operations Manual, Health Services, Standard 2, Section III.E.
264 Notes of delegation member on conversation with detainee.
265 Notes of delegation member on conversation with detainee.
266 Notes of delegation member on conversations with detainee.
267 Notes of delegation member on conversations with detainee.
experience and seeing many other dental and medical abuses to myself and other detainees I conclude that [ICE] lies, cheats, and tricks ICE detainees about medical and dental services . . . [this policy] must stop and be replaced with a comprehensive health system that reflects civilized human beings instead of animals herding animals.  

Officer noted that a full time dentist would start next month.

F. Detainee Classification System

The Standards require that detention facilities use a classification system and physically separate detainees into different categories. Detainees must be assigned to the least restrictive housing unit consistent with facility safety and security. A detainee’s classification is to be determined on “objective” criteria, including criminal offenses, escape attempts, institutional disciplinary history, violent incidents, etc. Classification is required in order to separate detainees with no or minimal criminal records from inmates with serious criminal records. Detainees with a history of assaultive or combative behavior are not to be housed with non-assaultive detainees.

All facility classification systems shall allow classification levels to be re-determined and include procedures by which new arrivals can appeal their classification levels. Finally, the detainee handbook’s section on classification must include (1) an explanation of the classification levels, with the conditions and restrictions applicable to each, and (2) the procedures by which a detainee may appeal his classification.

It is unclear the extent to which El Centro SPC meets this section of the Standards; detainees stated that violent detainees are housed with non-violent detainees, and that they are not aware of how they are classified or how to appeal. All detainees and inmates are classified when they first arrive at the facility. Within twelve hours of arrival detainees are housed according to their classification, with non-violent detainees separated from violent detainees.

---

268 Excerpt from a letter written by detainee to ICE officials. Mr. provided a copy of the letter to delegation member at the conclusion of their interview.

269 Notes of delegation member on conversation with Acting OIC.

270 Detention Operations Manual, Detainee Services, Standard 4, Section I.

271 Detention Operations Manual, Detainee Services, Standard 4, Section III.F.

272 Detention Operations Manual, Detainee Services, Standard 4, Section III.D.

273 Detention Operations Manual, Detainee Services, Standard 4, Sections III.A & E.

274 Detention Operations Manual, Detainee Services, Standard 4, Section III.F.

275 Detention Operations Manual, Detainee Services, Standard 4, Sections III.G & H.

276 Detention Operations Manual, Detainee Services, Standard 4, Section III.I.

277 Notes of delegation member on conversation with Acting OIC.

278 Notes of delegation member on conversation with Acting OIC.
El Centro SPC uses three levels of classification: Level 1 detainees are basic status violators, Level 2 detainees are non-violent misdemeanor criminals, and Level 3 are violent offenders. Level 1 and 2 detainees are allowed to commingle, but Level 3 detainees are segregated. Segregation of homosexual and transgender detainees is handled on a case-by-case basis. If a detainee has had a sex change then he is automatically segregated, but if the detainee is homosexual and has no sex reassignment he is allowed in the general population unless he requests special care or causes a distraction. The volunteer work programs are segregated: Level 3 detainees have their own set of volunteer workers who perform jobs that only require interaction with the other Level 3 detainees. Detainees classified at different levels are allowed to attend religious services together.

The detainees were largely unaware of how the classification process occurred. One detainee insisted violent detainees are housed with non-violent ones, and that the facility does not explain how people are classified. A Level 3 detainee believed that he did not belong in Level 3 housing, and said he was not informed why he was placed there. One of the detainees also wanted to appeal his classification but was not aware of any re-classification ever occurring at the facility.

G. Detainee Grievance Procedures

The Standards require that every facility develop and implement standard procedures for handling detainee grievances and encourage that the facility initially seek to resolve grievances informally before having to engage in a more formalized procedure. Translating assistance for both formal and informal grievances must be provided upon request. The Standards also require that each facility establish a reasonable time limit for: (1) “processing, investigating, and responding to grievances;” (2) “convening a grievance committee to review formal complaints;” and (3) “providing written responses to detainees who filed formal grievances, including the...
basis for the decision.” Detainees believed that the handbook provided adequate notice of the grievance procedure.

H. Disciplinary Policy

The Standards state that facility authorities “will impose disciplinary sanctions on any detainee whose behavior is not in compliance with facility rules and procedures” in order “to provide a safe and orderly living environment.” Each facility holding ICE detainees must have a detainee disciplinary system which has “progressive levels of reviews, appeals, procedures, and documentation procedures.” The disciplinary policy must clearly define

---

290 Detention Operations Manual, Detainee Services, Standard 5, Section I.
291 Detention Operations Manual, Detainee Services, Standard 5, Sections I & III.C & D.
292 Notes of delegation member, on conversation with Acting OIC.
293 Notes of delegation member, on conversation with Acting OIC.
294 Notes of delegation member, on conversation with detainee.
295 Notes of delegation member, on conversation with detainee.
296 Notes of delegation member, on conversations with detainees.
297 Notes of delegation member, on conversation with detainee.
298 Notes of delegation member, on detainee handbook.
299 Notes of delegation member, on conversation with detainee.
300 Detention Operations Manual, Security and Control, Standard 5, Section I.
detainee rights and responsibilities, and any disciplinary action taken must not be capricious or retaliatory.302

The following sanctions may not be imposed: “corporal punishment; deviations from normal food services; deprivation of clothing, bedding, or items of personal hygiene; deprivation of correspondence privileges; or deprivation of physical exercise unless such activity creates an unsafe condition.”303 Officers who witness a prohibited act must prepare and submit an incident report.304 The Standards provide that all incident reports filed by officers must be investigated within twenty-four hours of the incident.305

The Detainee Handbook must notify detainees of the disciplinary process, the prohibited acts and disciplinary severity scale, and the procedure for appeals.306 The handbook must also notify detainees of specific rights, including the right to protection from abuse, harassment, and discrimination, the right to pursue a grievance, and the right to due process, including prompt resolution of a disciplinary matter.307

El Centro SPC appears to meet this section of the Standards. When a rules violation occurs, a written report must be filed.308 If the violation is a physical one, such as a fight, the first line of defense is the contract security—contract security guards will break up the incident, lock down the dorms until the situation is safely under control, and then write a report of the incident.309 Immigration supervisors then analyze the report to determine if further action is needed.310 If discipline looks like it might be in order, the case will then go before a disciplinary panel.311 When a detainee goes before a panel, they are allowed to present witnesses and receive assistance from fellow detainees, facility staff members, or outside counsel.312 If the incident involves a serious assault, outside law enforcement will be contacted and the victim will be given the opportunity to press charges if they desire.313

The disciplinary panel determines punishment based on a graduated scale of offenses and resultant consequences.314 The only disciplinary procedure utilized is segregation—the time

304 Detention Operations Manual, Security and Control, Standard 5, Section III.B.
305 Detention Operations Manual, Security and Control, Standard 5, Section III.B and III.C.
306 Detention Operations Manual, Security and Control, Standard 5, Section III.L.
308 Notes of delegation member on conversation with Acting OIC.
309 Notes of delegation member on conversation with Officer.
310 Notes of delegation member on conversation with Officer.
311 Notes of delegation member on conversation with Officer.
312 Notes of delegation member on conversations with detainee.
313 Notes of delegation member on conversation with OIC.
314 Notes of delegation member on conversation with Acting OIC.
span runs from three to sixty days. Any segregation for more than sixty days requires approval from the chain of command and is almost never done. The interviewed detainees confirmed that no other type of discipline (including removal of privileges, etc.) is utilized.

The detainee handbook does provide notification of the disciplinary procedures. Detainees were familiar with this information and, on the whole, thought the disciplinary procedure and disciplinary panel was fair.

I. Environmental Health and Safety

Environmental health conditions must be maintained at a level that meets recognized standards of hygiene. The Standards require that each facility contract with pest control professionals to perform monthly inspections.

El Centro SPC does not appear to meet this section of the Standards: a detainee complained that his dorm was filthy and infested with roaches and rats.

J. Special Management Unit

The Standards suggest that each facility establish a Special Management Unit (“SMU”) that will isolate certain detainees from the general population. The Standards for Administrative and Disciplinary Segregation differ somewhat from one another, but both provide for legal access and other protections. A detainee may be placed in disciplinary segregation only by order of the Institutional Disciplinary Committee, after a hearing in which the detainee has been found to have committed a prohibited act. The disciplinary committee may order placement in disciplinary segregation only when alternative dispositions would inadequately regulate the detainee’s behavior.
All cells in the SMU must be well ventilated, appropriately heated, and sanitary, and must be equipped with beds. Segregated detainees shall have the opportunity to maintain a normal level of personal hygiene. Recreation shall be provided to detainees in segregation in accordance with the “Recreation” standard. Access to the law library shall generally be granted to detainees in segregation. Detainees generally retain visiting privileges while in disciplinary segregation, and may not be denied legal visitation.

**El Centro SPC meets this section of the Standards.** The Special Management Unit appears well run and meets the criteria required by the ICE Standards. One interviewed detainee was housed in the SMU. He indicated that reading materials are allowed in the SMU (including a newspaper the guards will bring to the detainees), the SMU facilities are very clean, detainees are provided a change of clothes daily, and are allowed the normal recreation time (although it is segregated recreation). He also stated that phone use is allowed and privacy is respected while using the phones. The guards allow this detainee to draw with colored pencils while in the SMU.

**K. Staff-Detainee Communication/ICE Presence at the Facility**

The Standards require that procedures be in place “to allow for formal and informal contact between key facility staff and ICE staff and ICE detainees and to permit detainees to make written requests to ICE staff and receive an answer in an acceptable time frame.” The Standards suggest that both weekly visits be conducted by ICE personnel and that “regular unannounced (not scheduled) visits” be conducted by the ICE OIC, the Assistant OIC, and designated department heads. Unannounced visits to the facility’s housing areas must be conducted on a regular basis—weekly at SPCs and CDFs. The purpose of such visits is to monitor housing conditions, interview detainees, review records, and answer questions for the

---

331 Notes of delegation member on conversation with detainee.
332 Notes of delegation member on conversation with detainee.
333 Notes of delegation member on conversation with detainee.
334 Notes of delegation member on conversation with detainee.
335 Notes of delegation member on conversation with detainee.
336 Detention Operations Manual, Detainee Services, Standard 15, Section I.
337 Detention Operations Manual, Detainee Services, Standard 15, Section III.A.
detainees who do not comprehend the immigration removal process. The Standards also require that detainees “have the opportunity to submit written questions, requests, or concerns to ICE staff,” which “shall be delivered to ICE staff by authorized personnel (not detainees) without reading, altering, or delay.” All facilities that house ICE detainees must have “written procedures to route detainee requests to the appropriate ICE official.” Moreover, the Standards suggest that detainee requests be forwarded to the appropriate ICE office within 72 hours and “answered as soon as possible or practicable, but not later than 72 hours from receiving the request.”

**El Centro SPC meets this section of the Standards.** ICE has a constant on-site presence at the facility, which is an ICE facility, and detainee communications to ICE staff are delivered without being read, altered or delayed by facility staff. The ICE staff and department heads conduct weekly unannounced visits to the living and activity areas and inspect housing, food service, recreation, special management units, and infirmary rooms, among other areas. The findings of all visits are logged accordingly, and a written schedule of planned inspections is posted in the detainee living area. The log contains the date the request was received, detainee number, A-number, nationality, officer logging request, and date returned to detainee.

Officer explained that he often conducts random inspections of the facility, checking up on the performance of the officers as much or more than the detainees. These walk-through inspections are performed on a weekly basis (his inspections are in addition to walk through inspections by immigration officers and operation supervisors), and any discrepancies or other issues identified during inspections are documented. The department in charge of the area of where a discrepancy is noted must respond in writing with the corrective measure taken to correct the discrepancy.

---

339 Detention Operations Manual, Detainee Services, Standard 15, Section III.A.
340 Detention Operations Manual, Detainee Services, Standard 15, Section III.B.
341 Detention Operations Manual, Detainee Services, Standard 15, Section III.B.
342 Notes of delegation member, on conversation with Acting OIC.
343 Notes of delegation member, on conversation with Acting OIC.
344 Notes of delegation member, on conversation with Acting OIC.
345 Notes of delegation member, on conversation with Acting OIC.
346 Notes of delegation member, on conversation with Acting OIC.
347 Notes of delegation member, on conversation with Acting OIC.
348 Notes of delegation member, on conversation with Acting OIC.
349 Notes of delegation member, on conversation with Acting OIC.
L. Religious Practices

The Standards require that detainees of different religious beliefs be provided with reasonable and equitable opportunities to participate in the practices of their respective faiths.\textsuperscript{350} According to the Standards, these “opportunities will exist for all equally, regardless of the number of practitioners of a given religion, whether the religion is ‘mainstream,’ whether the religion is ‘Western’ or ‘Eastern,’ or other such factors. Opportunities will be constrained only by concerns about safety, security, the orderly operation of the facility, or extraordinary costs associated with a specific practice.”\textsuperscript{351} Moreover, a facility’s staff shall make “all reasonable efforts to accommodate” special food services required by a detainee’s particular religion.\textsuperscript{352} Detainees in confinement must also be permitted to participate in religious practices, consistent with the safety, security, and orderly operation of the facility.\textsuperscript{353}

El Centro SPC meets this section of the Standards; facility staff stated that they make religious accommodations and detainees verified this.\textsuperscript{354} Reasonable requests for religious services or special dietary needs are met; for example, the facility will find local imams for Muslims.\textsuperscript{355} The facility employs a full-time religious coordinator to facilitate religious practices for the detainees. All religious services are conducted in the cafeteria; times of religious practice are the only occasion on which Level 3 detainees mix with the rest of the detainee population.\textsuperscript{356} Particular care is given to accommodate less common religious practices, including special large meals for the feast of Ramadan, for example.\textsuperscript{357} The detainees were generally under the impression that the religious practices procedures were very fair in the facility.\textsuperscript{358}

M. Voluntary Work Program

The Standards require that all facilities with work programs provide an opportunity for physically and mentally capable detainees to “work and earn money.”\textsuperscript{359} Participation must be
voluntary, and detainees may not work more than eight hours per day, and forty hours per week.360

**El Centro SPC meets this section of the Standards.** Detainees are provided an opportunity to work in the facility should they choose to do so.361 Detainees may work in the laundry room or kitchen, or serve as a translator, barber, or maintenance worker.362 Detainees are compensated for their work with pay of $1 per day worked, regardless of the job undertaken.363 Level 3 detainees are permitted to undertake jobs in which contact with Level 1 or 2 detainees will not occur.364 For example, when the Level 3s have access to the law library, there is a Level 3 library attendant working.365 The work program is entirely voluntary, and sign ups are on a first come, first served basis.366 Those desiring to work must fill out a form and drop it in a box in the cafeteria.367 Work assignment preferences are accommodated whenever possible.368 While a waiting list usually exists for jobs, the waiting time for a job is usually not long.369

**N. Detainee Transfer**

When transferring a detainee, the Standards require ICE to take into consideration whether a detainee is represented before the immigration court, and the location of the attorney and the court.370 The Standards require ICE to notify a detainee’s legal representative of record that the detainee is being transferred.371 Indigent detainees will be permitted to make a single domestic telephone call at government expense upon arrival at their final destination; non-indigent detainees will be permitted to make telephone calls at their own expense.372 Records including the detainee’s Alien File (“A-file”) and health records (or transfer summary for IGSAs) must accompany the detainee.373 Prior to transfer, medical personnel must provide the transporting officers with instructions and any applicable medications for the detainee’s care; medications must be turned over to an officer at the receiving field office.374 A detainee’s legal

---

360 Detention Operations Manual, Detainee Services, Standard 37, Sections III.A & H.
361 Notes of delegation member on conversation with Acting OIC.
362 Notes of delegation member on conversation with Officer.
363 Notes of delegation member on conversation with Officer.
364 Notes of delegation member on conversation with Officer.
365 Notes of delegation member on conversation with Officer.
366 Notes of delegation member on conversation with Officer.
367 Notes of delegation member on conversation with Officer.
368 Notes of delegation member on conversation with Officer.
369 Notes of delegation member on conversation with Acting OIC.
370 Detention Operations Manual, Security and Control, Standard 4, Section I.
371 Detention Operations Manual, Security and Control, Standard 4, Section III.A.
372 Detention Operations Manual, Security and Control, Standard 4, Sections III.G.
374 Detention Operations Manual, Security and Control, Standard 4, Section III.D.D [sic].
materials, cash, and small valuables shall always accompany the detainee to the receiving facility; larger items may be shipped.375

**It is unclear whether El Centro SPC meets this section of the Standards;** interviewed detainees recounted unfavorable transfer experiences, including lack of a phone call. Officer stated that the facility follows the detention standard for transfers and that the facility notifies attorneys when their clients are transferred.376 However, one detainee indicated that when he arrived at the facility from CCA he was not afforded a telephone call at all, nor did he believe his attorney had been contacted.377 He stated: “[my] attorney did not know where [I] was at.”378 ICE should ensure that attorneys have been contacted—if not by the transferring facility, then upon arrival. The detainee said that he was allowed to bring his personal property with him and his medical records were transferred.379 He and another detainee complained that, while being transferred, no opportunity was afforded for them to take care of personal hygiene.380 The detainees were not allowed to shower, brush their teeth, or otherwise clean themselves for two days or more.381

**VI. CONCLUSION**

The El Centro Detention Facility meets the requirements of several of the ICE Detention Standards but fails to meet a number of sections.

To provide access to medical care, the facility should ensure that patients with pressing medical concerns receive care. While the facility only provides medical treatment that is “necessary,” this definition may not help make meaningful distinctions. What is medically necessary for a person detained six months is not the same as what is medically necessary for a person detained for twelve months. Conditions such as ingrown toenails and chronic pain are not being treated because, presumably, they are not considered necessary, even though the individuals with these ailments are being detained for years. The turnaround time between making a sick call request and seeing a nurse should be standardized.

To provide access to dental care, detainees should receive a dental exam upon arrival. They should also receive more care than just having teeth extracted.

To provide access to private calls, the facility should ensure that detainees are able to use a private phone and that they are informed of this option.

---

375 Detention Operations Manual, Security and Control, Standard 4, Sections III.E.
376 Notes of delegation members and on conversation with Acting OIC.
377 Notes of delegation member on conversation with detainee.
378 Notes of delegation member on conversation with detainee.
379 Notes of delegation member on conversation with detainee.
380 Notes of delegation member on conversation with detainee.
381 Notes of delegation member on conversation with detainee.
To provide adequate access to legal materials, passwords to the LexisNexis CD ROMs should be kept current to ensure that no service interruptions occur. Additionally, detainees should receive training on how to navigate the LexisNexis CD ROM.

To maintain proper classification of detainees, ICE should ensure that detainees know how to appeal their classification. Additionally, detainees should have reasons for the classification explained to them.
Dear Ms.,

I commence this letter thanking you and the rest of the legal group that came down to El Centro ICE Detention to conduct the interviews requested by some of my peers on August 8th, 2007. Unfortunately I was not able to meet with you or any other member of the group. However, Mr. [b6, b7c] who was one of the persons that requested your assistance, informed me that you are requesting the participation of more detainees in raising up issues that will aid your attempts to make a different in the injustice that is being done in the ICE detention system. Further more, I am one of the persons that have been aiding Mr. [b6, b7c] in his legal case—mainly the typing and spelling of his documents and not so much the legal aspect of his claims.

Mr. [b6, b7c] briefed me on the interview that he had with you and to further attest to his statements I can say to you that the medical department does little to provide certain individuals with proper assistance. They claim that since we are only here on a “short” temporarily period of time they are limited to the type of aid they can provide. If, however, we are here for more than one year, then and just then, they will provide a more intense and detail care. In my opinion, that is a very ludicrous point of view, or in their words “the policy”, because not even when we were in prison we lacked the medical service that is provided to inmates—and according to them we are no longer inmates yet most of the time I still feel like one in this place. In my personal experience, my problem with medical is that they are refusing to provide me with an eye examination. Their defense is that ICE does not provide that kind of medical service because I am only suppose to be here for a short period of time, and that they do not have a contract with an optometrist to conduct examinations. I told them that if there was anyway that I could get an outside optometrist (in the local area) to provide me with the examination, and that I was willing to pay for the costs. They informed me that it is not possible because of the security factor. I wear contacts and have only one more pair in my property. I also have some glasses that have a four year old prescription, since I am fighting my case and thus ensuring that I will be detained at this facility for a while, I need more contacts of a pair of glasses. I was informed by my assigned care-provider that my family could purchase more contacts and/or eyeglasses and have them send in, but that they do not provide the exam. I told them that with out the prescription my family could not purchase either. I was told that they understood but that they cannot and will not provide the exam. I explained that my eye sight is pretty bad and that with out my eye ware I can not see, and that I considered not having my contacts or glasses a safety issue. I was told that that was my problem and not theirs. (Which I find those type of comments very unprofessional and unethical coming from a health care provider) Medical provides me with solution and a case for storage for nighttime and mornings, however, I do not store my contacts because of the safety issue I mentioned before. I cannot see without my contacts and in the environment we find ourselves in, I cannot afford to be impaired. I informed my care provider that this was a disability issue and that I could contact my VA office and asked them to step in. her response was , “go ahead, you do what you have to do, but I am telling you the policy won’t change.” At that point I realized that any further attempts to make my point was futile and decide to withdraw my attempts and returned to my barracks. This is just one of the many complains that the medical department is being accredited to. I have witnessed more. People being denied dental care because they have not been here over a year, people being denied care for their in-grown toe nails, and a few more complains. Their “fail-proved” answer: this facility is designed for people who are here temporarily. But how about us who come from prison and will be here perhaps years trying to fight for our rights—our constitutional rights, and fight our cases?

Living conditions are not that much better than the medical problem. Our barracks lack adequate air conditioning system. There is a problem with mice and cockroaches. Phone conversations are subject to monitoring and recording—which by the way is the same system that the prisons have. As far as I knew, once released from prison I am no longer an inmate and become a civilian again. The only two rights that I give up are the right to bare arms and the right to search and seize with out permission. Then why are they treating us like inmates still? But when we mention to ICE that were feel like we are still inmates they are quick to correct us by saying that we are just detainees. Why do you think that they did not allow you to come in to our barracks and see for your selves?
Because they know that unlike the guys in blue, we will stand for our rights. We come from a place (prison) were if we don not speak out, they trample all over us. Since we are in "red" level three colors, we are segregated from the rest of the population, however, some of us have come together from prison where we were living in the same yard, dorms, and cell but once we arrive here they separate us and consider us dangerous. They escort us from one place to another, they stop all other traffic before we mobilize, and they even have a hard time letting us mingle in religious services. And they say we are not inmates! Even in prison we are not treated like that. We are allowed to move freely with in the yard. They keep on reminding us that we are not detainees but we feel that we are still treated like inmate.

Changing the subject, when it comes to the way this court handles our cases, it is sad to see the judicial system work in such a manner. I don’t know how true it is but I have heard that El Centro is the worst place for any detainee to get any action in their cases. I have seen how this court (like many other through out the nation, speaking in general) is separating families. How the judges deport people and force us to fight our cases all the way to the 9th circuit where the superior judges carefully review the cases and apply to law how it’s supposed to be. It is a no-win situation. If we get deported by the judge (which happens, from what I have seen 90-something percent of the time) we have a choice to make: either we accept deportation—because most of us have been down for 5, 6, 7, 12 years and don’t want to do more time—and leave the United States, or we stay detained I like referring it as custody) and wait roughly three or four years for the decision from the 9th circuit to come back. And if we wait for that, these deportation officers—having the authority to grant us release on bond or under supervision to wait for our appeals from our homes, they do not. What do they claim as the reasons for denial? They claim that we are a danger to society and a flight risk. My opinion on the matter is: the Correction and Rehabilitation system (CDCR) has two main purposes; their primary objective is to punish the misbehavior that lead us to prison. In other word pay for our crimes. The second objective is to rehabilitate us to re-enter society a changed person. That is the reason why after serving our sentence they allow us to go home, because we have paid our dues and according to them we have been rehabilitated. If a former inmate can demonstrate that he/she has done everything in their power while incarcerated to change their lives, to be a productive member to society despite the past failures and mistakes, then why would this system (ICE) deem us dangerous to society? If you research the actual CDCR objectives in their manual, you will find that their main objectives are to punish the crime and secondly to rehabilitate the criminal. Another concern they have with us is the flight risk; well, how can they say that we are a flight risk if what we want is to stay with our families in this country. We do not want to be separated from our wives, our small children, and our parents. Most of us have been a legal permanent resident for many years, we have ties to our communities, we have business; we own houses, properties, assets, that is the reasons why we choose to stay “detained” and fight our cases. Then how is that consider a flight risk? Where would we want to go? If you ask me, that is a very ludicrous assumption on their behalf.

Another issue that I am having a hard time understanding from this place is why, if a legal permanent resident after being detained for a period of time of (6) six months and he/she will not be deported in the foreseeable future, they do not grant any release form custody to fight our cases from the street with our families? I have read many cases that have been granted relief via a Habeas Corpus where the argument is the same: the six months time limit cited in ZADYyas. Most of us that choose to fight our rights, qualify for this time of release however, this people here will not grant us any. If the statue does not permit indefinite detention, why then are we keep in for three or four years? It is something that has me bewildered!

Ms. [b6, b7C] I will be writing you another letter if it is O.K. with you explaining a few more issues.

Thank you for your time and consideration in this matter.

Cordially,
Ms. 
Latham & Watkins LLP
600 West Broadway Suite # 1800
San Diego, California  92101-3375

Ms.

We thank you so very much for your visit and for taking your time to talk to us, to interview us.

I promised the one that interviewed me, sorry, I did not get his name but he was your interpreter, that I would send you this information and here I am enclosing it for you. I hope that it can be useful to you and to us and I want to remind you that I am at your service for anything you guys might need from me.

This young man that interviewed me asked me also if you could use my name for any type of future report and the answer is yes; you can use my name for anything you have a use for it and also if in the future you guys have any more questions for me, all you have to do is get in touch with me and I’ll happily collaborate with all of you.

Thank You  for all your help provided

Sincerely and Respectfully Submitted
Dear Ms. 

I send you this envelope as evidence of why with the mail I am sending you. This letter and every one day after you came to interview us. Thereafter three additional letters all of whom I have no them or not. I have suspicion that this envelope with as the envelope upon returned was semi-open. I don't understand why this envelope was insufficient funds (i.e. 22 cents) where ECE is for all of our correspondence. I can't believe not enough for the four (4) pages I sent inside. I believe that they're doing this because I'm writing you. I'm also afraid that the letters I have been sending you along with several more complaints are being intercepted or something because I haven't received any correspondence from you or office that you have received them. Thank you
P.S. I'm sending this envelop paid for with stamp so they don't have the excuse of not having enough postage. I'm paying with my own money even though I'm not supposed to.

As evidence of what they are doing you this letter, and envelop I sent it to you interview us. Thereafter, I have sent you of whom I have no idea if you received region that the envelop was tampered returned was semi-openened (to my opinion) this envelop was returned for having dence. I can't believe that 92 cents were doing this because I also afraid that sending you complaints are hing because I received them. Thank you for your help.
Incidentes de problemas graves aquí en Immigration, especialmente de problemas medicos:

Llegué en Octubre del 2006 a C.C.A.-San Diego y empezo una gran tortura mental y psicológica. Estuvimos veinticuatro (24) horas en el proceso y despues nos trasladaron finalmente a un dormitorio a compartir con dos personas una celda chica de 12 pies por 6 pies diseñada solo para dos personas no tres, pero a los encargados no les importaba eso.

Me toco dormir en el piso en una “lancha”, “boat” en Ingles. Luego me movieron a otra celda con un homosexual, yo les decia que no queria estar en esa celda, que no me sentia agusto, que por favor me cambiaran a otra celda y me dio la oficial encargada que no podia hacer nada, que ahí me habian puesto y que allí me tocaba y no me cambiaron.

Eso fue muy traumante para mi; vivir con una persona de esas y bajo esas condiciones es muy dificil para dormir, para ir al baño, siempre me atropellaban. Aparte de estas indignidades, se me complicaba mas mi vida porque yo padesco de Diabetis, de Colesterol alto y de presion de la sangre alta, tambien en ese tiempo tenia las uñas de los pies enterradas. Les pedi ayuda para todas mis enfermedades y solo me dieron medicina para la diabetis, les segui pidiendo antibióticos para la infeccion en los pies por las uñas enterradas y me dijo la enfermera que todavía no se me reventaban los dedos, que no era tiempo de atendermelos, que podia esperarme. Despues de eso solo me chequearon la azucar en la sangre por como una semana y fue todo, dejan de chequearmela aunque yo me sentia mal y les decia que a lo mejor era por la azucar en la sangre pero no me hacian caso.

Cada vez que salia del C.C.A. como para venir a la corte aqui a El Centro, hera lo mismo. No me daban una atencion medica correcta; ni para mi diabetis, mucho menos para mis pies lo de el problema de las uñas enterradas en los dedos. Finalmente, gracias a D I O S salimos del C.C.A.

Cuandoos nos movieron, estuvimos 40 horas en proceso aguantando el frio en esos tanques que de tan frio no se puede ni dormir. Despues de todo este tiempo estuvimos esperando sentados en los busses como 8 horas mas antes de ponernos en camino a Florence, Arizona. El viaje a Florence duro casi 10 horas. Finalmente llegamos a Florence, Arizona y otra vez estuvimos 46 horas de nuevo en proceso. Todos estos tiempos de procesos y del viaje sin bañarnos, sin cepillarnos los dientes y casi sin dormir fueron una verdadera gran tortura.

En Florence, Arizona si me atendieron correctamente de mis problemas medicos. Me dieron medicina para el diabetis y tambien me dieron antibióticos para la infeccion de mis dedos de los pies por las uñas enterradas que para ese tiempo ya estaban infectados con
sangre y pus, todo morado y que en el C.C.A.-San Diego no me quisieron atender. Me atendieron por una semana y luego la Doctora [b6] dio la orden de que al día siguiente me llevaran a operar mis dedos, pero ese mismo día al regresar al dormitorio, nos movieron a otro lugar. Hable con el oficial Villa acerca de la orden de la Doctora [b6] sobre la operación de mis dedos al día siguiente por mi enfermedad y me contestó que eso no importaba en ese momento, que nos hiban a mover de lugar. Le dije que yo necesitaba tratamiento para mi enfermedad y me dijo que al lugar que nos hiban a llevar habían todos los servicios médicos que necesitábamos. Nos movieron al departamento del sheriff del condado de Pinal.

En el Departamento del Sheriff del condado de Pinal no tenían ni agua caliente para bañarnos, mucho menos tenían los servicios médicos apropiados que necesitábamos. Empezamos a pedir los servicios médicos necesarios y finalmente tuvieron que llevar medias-enfermeras que no sabían lo que estaban haciendo, a mi personalmente entre las cuatro no podían sacarme sangre y me dejaron los brazos morados de lo inutil que heran. Les pregunto que cuando me hiban a atender mis dedos de los pies y me dijeron que no tenían ninguna autorización para atenderme de ese problema; pasaron 9 días y nos volvieron a llevar de donde nos habían traído. Tuvimos que pasar otra vez por el mismo proceso pero no me atendieron bien porque que ya no estaba la Doctora [b6].

Estuvimos una semana más y nos movieron de nuevo a San Diego y esa misma noche nos trasladaron al Centro, California y otra vez por proceso como de 18 a 24 horas en los tanques antes de ir a los dormitorios.

Cuando me llevaron al doctor tenía el nivel de azúcar en la sangre de 360 puntos, me dieron una doble dosis de medicina. Les pedí que me atendieran el problema de mis uñas de los pies porque ya no aguantaba el dolor en mis dedos. Ya estaban muy morados y con mucha pus. Me dijeron que me hiban a dar medicina para parar la infección y que después me hiban a tratar el problema. Eso paso el 12 de Febrero del 2007, ya pasaron 5 meses y solo he recibido un montón de excusas por parte del cuerpo médico que tienen en este lugar, empezando con la ayudante de enfermera Ms. [b6].

Yo le pedí ayuda a esta ayudante de enfermera y me pidió que le enseñara los pies, cuando los examino me dijo que en verdad si estaba mala pero que ella la única medicina que me podía dar hice un cepillo de dientes para que cada vez que me bañara me cepillara los dedos enfermos con ese cepillo y que ella figuraba que hiba a estar mejor como dentro de un año. Hasta la guardia que me llevo frente esta “enfermera” la oficial Madrigal, se quedo impresionada de lo que me dijo y me comentó que “no podía creer que una persona profesional como la “doctora” [b6] te haga dicho tal cosa, si no lo hubiera escuchado yo misma no lo hubiera creído”.

He puesto muchos medical requests para que me atiendan y no me hacen caso. Una vez que puse uno le toco el turno de verme al Doctor [b6]. Me dijo que en este lugar no atiendan esa clase de problemas pero que el hiba a pedir permiso para traer a alguien que me pudiera atender, que le diera dos o tres semanas. Nunca me llamaron, volví a poner otro request médico y me miro el mismo doctor, me preguntó porque que había llenado una queja médica y le dije que para mandarlo a Washington. Me dijo que hibamos a hacer un trato: que el me hiba a ayudar en todos mis problemas médicos pero que necesitaba firmarle un papel donde supuestamente yo le daba a él la autorización de ayudarme. Yo le dije que no porque el podía poner algo que me perjudicara a mí y el me
dijo que no tuviera desconfianza, que el hiba a escribir en el medical request y el accedio a esto. Los dos firmamos el request y salio como 5 minutos, volvió y me dijo que en ese momento no servía la copiadora y no podía darme una copia que tenía que esperarme a que la arreglaran pero no me volvió a llamar. Mande otro request y me vio el mismo Dr. junto con la enfermera. Ahora el Doctor me dijo que dejará de poner requests medicos, que nadie podía dar la orden para que me atendieran mi problema medico, que no había nada que hacer con mi problema y que ICE miraba mi problema medico ese como algo sin importancia, que no hiba necesario atenderme, que de eso no me moría. Yo le conteste que tenía mucho dolor, entonces la enfermera me dijo que ella tenía dos medicinas para mi, le pregunte que cuales eran esas medicinas y me dijo que la primer medicina era que me pusiera un trapo con agua caliente en los pies para que se me quitara lo hinchado y la segunda medicina era que me aguantara como un verdadero hombre. Yo le dije que eso no estaba bien. El Doctor me dijo que no había poder en la tierra que les ordenara que me dieran atencion medica para el problema de mis uñas enterradas de los dedos de los pies. Y en otra o Casion que fui a tomar mi Medicina estaba de Turno, la Enfermera me pedí que porfabor checara el nibel de asucar en mi sangre ella me contesto que no tenía las cosas que se nesecitan para aser el checeo y que además no tenia el tiempo para aserlo y que ella no iba a perder su trabajo por andar asiendome favores amí y que no tenia la obligasion de

Aser nada para alludarme en uno de loss tantos recues que puse me llamaron otras y le toco el turno ala Doctora Le pedí que me diera alguna medesina para calmar mis Dolores de mis pies y ella me contesto que la medesina que ella podía resetarme era que me pasara un nobenta por siento del del dia acostado que no caminara y que eso me iba a llludar y que pusiera mis pies in alto para que no tubiera peso sobre de ellos y que eso me yba a llludar a calmar mis dolores no asen

Nada asta la tarjeta para la supuesta comida de dieta me quitaron según ellos que por no mostrarlo de bes en cuando y poreso cuando yo no la mostraba era por que canbiaba mi comida con otra persona por su porcion de bejetales y ensalada y de esa manera completaba mis comidas porque parami es de bital importancia el cuidado de mi salu
REQUEST FOR MEDICAL CARE
(PETICION MEDICA)
EL CENTRO DETENTION FACILITY

Name: [Name]
(Nombre)

Housing Unit: B-W-16
(Unidad de Vivienda)

Date of Birth: [Date]
(Fecha de Nacimiento)

Country: MÉXICO
(País)

Sex: M / F
(Sexo)

Medical Problem: (Problema de Salud)

Necesito ayuda con mis dolores me duele mucho la cabeza y tengo como cuarto semanas

Signature: [Signature]
(Firma)

Date: 07/12/07
(Fecha)

07/14/07
(Fecha)

REQUEST FOR MEDICAL CARE
(PETICION MEDICA)
EL CENTRO DETENTION FACILITY

Name: [Name]
(Nombre)

Housing Unit: B-W-16
(Unidad de Vivienda)

Date of Birth: [Date]
(Fecha de Nacimiento)

Country: MÉXICO
(País)

Sex: M / F
(Sexo)

Medical Problem: (Problema de Salud)

Necesito un cheque de mis dolores me duele mucho la cabeza y me duele mucho la espalda

Signature: [Signature]
(Firma)

Date: 07/14/07
(Fecha)

07/14/07
(Fecha)
REQUEST FOR MEDICAL CARE (PETICION DE MEDICAL)

Name: b6, b7C
(Nombre)

Date of Birth:  
(Fecha de Nacimiento)

Country:  
(Pais)

Medical Problem: I have a lot of pain in my feet due to my toe-nails being infected. I am a diabetic and that is the reason my toe-nails are infected. Please help.

Signature:  
(Firma)

Date: 04/10/07
(Fecha)

COPY HAS BEEN MADE & RETAINED FOR FUTURE REFERENCE.

REQUEST FOR MEDICAL CARE (PETICION DE MEDICAL)

Name: b6, b7C
(Nombre)

Date of Birth:  
(Fecha de Nacimiento)

Country: MEX.  
(Pais)

Medical Problem: I have extreme abdominal pain on both sides but almost unbearable on my right side. Please help.

Signature:  
(Firma)

Date: 04/09/07
(Fecha)

REQUEST FOR MEDICAL CARE (PETICION DE MEDICAL)

Name: b6, b7C
(Nombre)

Date of Birth:  
(Fecha de Nacimiento)

Country: MEX.  
(Pais)

Medical Problem: I am diabetic. I have almost unbearable pain on my feet because of ingrown toe-nails. I need for you to do something to take care of the problem, not pain pills or pain medicine or release me so I can take care of it myself. Thank you.

Signature:  
(Firma)

Date: 04/09/07
(Fecha)

COPY HAS BEEN MADE & RETAINED FOR FUTURE REFERENCE.
REQUEST FOR MEDICAL CARE (PETICION DE MEDICAL)

Name: b6, b7C

Date of Birth: b6, b7C

Country: MEC I C O

Sex: M / F

Medical Problem: YOU TOOK SOME BLOOD FROM ME ABOUT 2 WEEKS AGO AND I STILL DON'T KNOW THE RESULTS FROM THE ANALYSIS.

Signature: b6, b7C

Date: 04 10 07

---

REQUEST FOR MEDICAL CARE (PETICION DE MEDICAL)

Name: b6, b7C

Date of Birth: b6, b7C

Country: MEX AM LEGAL

Sex: M / F

Medical Problem: WHAT ARE YOU WAITING FOR? FOR ME TO LOSE MY TOES OR MY FEET? FOR YOU TO GET ME TREATMENT? I AM A DIABETIC AND NEED HELP TO WALK. I NEED HELP AND HAVE BEEN NEEDING HELP AND YOU DO NOTHING. NEXT REQUEST IS GOING TO ACLU, WASHINGTON, AND NEW YORK.

Signature: b6, b7C

Date: 05 05 07

---

REQUEST FOR MEDICAL CARE (PETICION DE MEDICAL)

Name: b6, b7C

Date of Birth: b6, b7C

Country: MEXICO

Sex: M / F

Medical Problem: ABOUT A MONTH AGO YOU TOLD ME YOU WERE GOING TO CALL ME TO CHECK MY EYES TO SEE ABOUT PAIN IN THEM. WHY I SEE BLURRY (ICK) AND NO THING.

Signature: b6, b7C

Date: 04 10 07

---
REQUEST FOR MEDICAL CARE (PETICION DE MEDICAL)

Name: [Redacted]  
(Nombre)  

Date of Birth: [Redacted]  
(Fecha de Nacimiento)

Country: MEX  
(Pais)

Sex: F  
(Sexo)

Medical Problem: I AM STILL A DIABETIC, WHY DID YOU TAKE MY CARD AWAY FOR SPECIAL DIET?

Signature: [Redacted]  
(Firma)

Date: MAY 28, 2007  
(Fecha)

---

REQUEST FOR MEDICAL CARE (PETICION DE MEDICAL)

Name: [Redacted]  
(Nombre)

Date of Birth: [Redacted]  
(Fecha de Nacimiento)

Country:  
(Pais)

Sex: M  
(Sexo)

Medical Problem: I WOULD LIKE TO HAVE MY SUGAR LEVEL CHECKED AT LEAST TWICE A WEEK. THIS WAY I KNOW HOW I'M DOING.

Signature: [Redacted]  
(Firma)

Date: 05/14/2007  
(Fecha)
United States Department of Homeland Security
Bureau of Immigration and Customs Enforcement

DETAINEE GRIEVANCE FORM

(A grievance must be filed within 5 days of original incident or issue)

Grievance #

Detainee Name:  

A#  

Housing Unit: K-16

Complaint/Comments: I am having a lot of problems with medical (medical, dental, vision) treating me. I am diabetic and have arthritis issues and I don’t get treated properly even after many requests. My next grievance will be to Washington and ACLU.

Action requested by detainee: I need to take out ingrown toe-nails to be checked for gall stones, another prescription glasses – dental check-up and follow-up.

Detainee Signature:  

Date/time: 04/16/07 6:00 PM

Housing Unit Officer:  

Date/time: 

INFORMAL [ ] Resolution is accepted by detainee: (to be completed within 24 hours and only if resolved prior to hearing)

This grievance has been informally resolved as follows:

Detainee Signature:  

Date/time: 

Staff Member:  

Date/time: 

Supervisory Review:  

Date/time: 

FORMAL [ ] Informal Resolution is not accepted by detainee and the grievance has been assigned to the following Department for formal resolution: [ ] Deportation [ ] Detention [ ] Administration

(Response to detainee within five (5) business days is required)

Departmental Findings/Actions Taken:

Dep. Head:  

Dep. Staff:  

Date of Findings:  

Date Returned to Detainee:  

(Deetine return within five days of receipt and check the appropriate box)

I would like this matter:

☐ Referred to the Detainee Grievance Committee (DGC).

☐ I agree with the resolution.

Detainee Signature:  

Date/time: 

United States Department of Justice
Immigration and Naturalization Service

DETAINEE GRIEVANCE FORM

(A grievance must be filed within 5 days of original incident or issue)

Detainee Name: b6, b7c

Complaint/Comments: I am a diabetic. I have had ingrown toe-nails since November 2006 in C.C.A.-San Diego. When I got here on Feb, 12, 07 I asked for medical help with this problem. There are times that I cannot even walk. Neither C.C.A. nor the medical department here want to treat me besides the medical staff being very rude.

Action requested by detainee: I need to be treated for my very painful in-grown toe-nails AND the medical staff here at this facility El Centro Processing Center needs to be re-trained in the proper way to treat civil detainees. Instead of treating people like Animals like at C.C.A.-San Diego.

Detainee Signature: b6, b7c

Housing Unit Officer: ____________________________ Date / time: 02-17-07

INFORMAL [ ] Resolution is accepted by detainee: (to be completed within 24 hours and only if resolved prior to hearing)

This grievance has been informally resolved as follows:

__________________________________________

Detainee Signature: ____________________________ Date / time: ____________

Staff Member: ____________________________ Date / time: ____________

Supervisory Review: ____________________________ Date / time: ____________

FORMAL [ ] Informal Resolution is not accepted by detainee and the grievance has been assigned to the following Department for formal resolution: [ ] Deportation [ ] Detention [ ] Administration

(Response to detainee within five (5) business days is required)

Departmental Findings/Actions Taken: ____________________________

Dep. Head: ____________________________

Dep. Staff: ____________________________ Dep. Staff

Date of Findings: ____________________________ Date Returned to Detainee: ____________________________

(Detainee return within five days of receipt and check the appropriate box)

I would like this matter:

☐ Referred to the Detainee Grievance Committee (DGC).

☐ I agree with the resolution.

Detainee Signature: ____________________________ Date / time: ____________

Housing Unit Officer: ____________________________ Date / time: ____________
Ms. Gobeski:

Le agradezco la visita y la entrevista y sobre todo el tiempo que se tomaron para venir a hablar con todos nosotros.

Yo quede con la persona que me hizo el favor de entrevistarme de mandarle esta información y aquí se la hago llegar y espero de algo le pueda servir tanto a ustedes como a mí, y quiero ponerme a sus servicios para todo lo que yo pueda aportar.

También, la persona que me hizo la entrevista me preguntó que si podía usar mi nombre para algún futuro reporte y quiero decirle que cuente con mi apoyo, puede usarlo para cualquier caso que lo necesite y si en el futuro tiene otras preguntas, nada más escribame y yo con gusto colaborare con ustedes.

Gracias por toda su ayuda

Atentamente su servidor:
EJ. Centro. Calif. #92243.
Ms. B6
Latham & Watkins, LLP.
600 West Broadway Suite#1800
San Diego California #92101-3375.
El Centro, Cal. 92243

Ms.
Latham & Watkins LLP
600 West Broadway Suite # 1800
San Diego, California 92101-3375

Le saludo esperando se encuentre bien de salud. En esta ocasión tengo otras quejas del servicio médico en El Centro. Después de varios “medical requests” el día 20 de Agosto me llevaron al médico, pues yo quería ayuda para mis ojos porque como ya le comenté que soy diabético y cada DIA mi vista se está deteriorando. Ahora me resulta un nuevo problema en mi ojo derecho. Yo les pedí ayuda y el doctor me dijo que ya me han dicho que no puede hacer nada y que para este problema ellos no pueden darme ni gotas para los ojos.

También les volvi a pedir que por favor me hicieran el favor de chequearme el nivel de azúcar y el doctor me contestó que no tenían suficiente codas para hacerlo y que las enfermeras no tenían tiempo, o que estaban muy cansadas, o el otro motivo por el que no se te puede dar mas servicios es porque hay mucha gente en este lugar y todo se nos está escanciendo. El doctor dijo que por eso nos están dando menos pata de dientes, menos jabones, menos comida, y menos medicina. El doctor dijo; “así que tu debes de dar gracias a Dios que de menos te están dando medicina para la diabetes.” Luego le pregunte acerca del problema de mis ojos y si yo podía comprar mis lentes. Él me dijo que el me iba a dar un chrono autorizando que me manden mis lentes. Pero el problema es que necesito un examen de la vista, algo que ellos no dan porque no están autorizados para darnos ese tipo de asistencia médica porque nosotros solamente tenemos que estar aquí por un ratito. Yo le dije entonces déjeme salir de este lugar para que yo pueda cuidar de mi salud.

En CCA ya hubo una pelea entre los guardias y los detenidos por la pobre ayuda médica y otras injusticias que ICE hace contra nosotros. En San Pedro acaba de haber otra pelea entre los mismos.
gente como ustedes a investigar y a preguntar, ICE cambia su semblante y corre todo como debe de ser para que la gente que viene no tenga nada malo que decir. Ahora a salido un nuevo memo que dice que cuando estemos en la área de ver televisión tenemos que andar nuestras camisas puestas. Afuera del dormitorio esta a 115 grados F, adentro del dormitorio esta a más como a 118 porque no hay aire acondicionado y como las barracas son viejas el sistema de aire es viejo también. Tenemos dos ventiladores grandes y en la área de la televisión esta muy caliente, y ahora quieren que andemos con camisas puestas, no hace sentido. Cada día que pasa esta gente nos están quitando mas y más el poco de libertad que tenemos. Y dicen que no somos presos!

Ms. b6 disculpe que la moleste con mis quejas pero es demasiado lo que esta gente esta haciendo hacia nosotros. Espero escuchar de usted en el futuro y le voy a escribir mas adelante.

Cordialmente.

b6, b7c
631013314

5959 SAGE RD, CARLTON, CA 93101-3575
600 West Grandway
Suite 180C

C/O Ms. Smith
That's What's Up

EL CENTRO, CA 92243-1739
115 North Imperial Avenue
Silent Process

ICE EL CENTRO Processing Center
From: [Redacted]  
El Centro, Cal. 92243-1739  

To: Latham & Watkins LLP  C/O Ms. Elizabeth Gobeski  

Re: Thank You Letter for Visit and Interview  

Dear Ms. [Redacted]:  

Knowing how very busy you must be, I don’t want to take too much of your very valuable time. I just want to thank you and your firm for your recent visit and interviews on Wednesday August 8, 2007 at this facility. THANK YOU for taking some of your valuable time to talk to us and hopefully you got enough information for your intended purposes.  

Anything else we may be of assistance, we are here to help you, just let us know.  

Personally, the packet I prepared for you, if there are any questions as to any of it’s contents, please don’t hesitate to ask me and I’ll gladly explain and/or answer and/or expand on anything you need or want to know. It has some stuff describing abuses at the private contract facility C.C.A. (Corrections Corporation of America) located in San Diego, California which ICE is ultimately responsible for. They know about those abuses and choose to ignore them by turning a blind eye and a deaf ear and by not answering or acknowledging our grievances/complaints and as a matter of fact, use the fact that it is run like a Nazi-Concentration Camp to keep detainees here in El Centro in line by threatening us that if we don’t behave, they will send us back to C.C.A.  

Thank You again to all of you and your firm for your visit, your interviews and your concerns, may GOD bless you all.  

Sincerely and Respectfully:  

P.S.  
We would like to know if your firm can give us some legal referrals to sue ICE (class-action lawsuit maybe) in regards with prolonged, excessive, indefinite detentions to which they subject many of us. From what we understand, they were given more or less about 6 months to detain us to find out about our cases and after that release us except for treason or admitted and known terrorists; but they keep many of us for years in detention and nobody does anything about it, mostly because people out there don’t know or don’t know how to stop it. It should be known that it is almost impossible to fight our cases from here from detainment because of all the rules and regulations that they have set-up in these places. Thank you for any help.
United States Department of Justice
Immigration and Naturalization Service

DETAINEE GRIEVANCE FORM
(A grievance must be filed within 5 days of original incident or issue)

Detainee Name: ____________ A# ____________ Housing Unit: M-10

Complaint / Comments: ICE-El Centro, Calif. Medical Officer b6 refuses to give many of us detainees proper medical treatment per facility, city, county, state, federal and international laws, rules, regulations and guidelines, besides being very disrespectful and very rude to detainees and staff. She seems to have also trained her medical staff to treat people this way. Many do.

Action requested by detainee: To be treated with dignity and respect not like animals. There has been some dangerous cases and instances where detainees could have lost some limbs and maybe even their lives because detainees were diabetic. WE NEED PROPER MEDICAL CARE W/RESPECT AS HUMAN BEINGS, not cattle.

Thank You Maybe re-training is needed.

Detainee Signature: ____________ Date / time: ______________ ____________

Housing Unit Officer: ____________ Date / time: ______________

INFORMAL [ ] Resolution is accepted by detainee: (to be completed within 24 hours and only if resolved prior to hearing)

This grievance has been informally resolved as follows:

Detainee Signature: ____________ Date / time: ______________ Staff Member: ____________ Date / time: ______________ Supervisory Review: ____________ Date / time: ______________

FORMAL [ ] Informal Resolution is not accepted by detainee and the grievance has been assigned to the following Department for formal resolution: [ ] Deportation [ ] Detention [ ] Administration

(Response to detainee within five (5) business days is required)

Departmental Findings/Actions Taken: ____________________________________________________________________________________________

Dep. Head: ____________________________________________________________________________________________

Dep. Staff: ____________________________________________________________________________________________ Dep. Staff

Date of Findings: ____________ Date Returned to Detainee: ____________

(Detainee return within five days of receipt and check the appropriate box)

I would like this matter:

☐ Referred to the Detainee Grievance Committee (DGC).

☐ I agree with the resolution.

Detainee Signature: ____________ Date / time: ______________

Housing Unit Officer: ____________ Date / time: ______________
First Request (Copy)

El Centro Detention Facility
Request for Medical Care (Petición de Médico)

Barracks K-10

Name: [Redacted]
(Nombre)

N°: [Redacted]
(Número A)

Date of Birth: [Redacted]
(Fecha de Nacimiento)

Country: [Redacted]
(País)

Sex: M
(Sexo)

Medical Problem: [Redacted]
Problema de Salud)

Signature: [Redacted]
(Firma)

Date: 02/27/07
(Fecha)

COPY mine
2nd Request
United States Department of Justice
Immigration and Naturalization Service

DETAINEE GRIEVANCE FORM

(A grievance must be filed within 5 days of original incident or issue)

Grievance #

Detainee Name: b6, b7C A# b6, b7C Housing Unit: M-30

Complaint / Comments: I had a back operation to remove a cyst and it got infected with pus and has been bleeding and they (medical staff) which includes medical officers b6 have refused to treat me properly. They have not given me any antibiotics but a lot of hard times because I keep asking for them. I talked to Sub-director b6, b7C he was also ignored and treated rude by officer b6 when he tried to find out about the problem.

Action requested by detainee: I still need proper medical care which includes antibiotics for the infection. We also want to be treated like human beings that we are. Also the whole medical stuff needs to be re-trained in the proper way to treat detainees at this facility.

Date / time: 05/17/07

Housing Unit Officer: ___________________________ Date / time: ___________________________

INFORMAL [ ] Resolution is accepted by detainee: (to be completed within 24 hours and only if resolved prior to hearing)

This grievance has been informally resolved as follows:

________________________

Detainee Signature:________________________________Date / time: ___________________________

Staff Member: ___________________________ Date / time: ___________________________

Supervisory Review: ___________________________ Date / time: ___________________________

FORMAL [ ] Informal Resolution is not accepted by detainee and the grievance has been assigned to the following Department for formal resolution: [ ] Deportation [ ] Detention [ ] Administration

(Response to detainee within five (5) business days is required)

Departmental Findings/Actions Taken: ________________________________________________

Dep. Head: ___________________________

Dep. Staff: ___________________________ Dep. Staff

Date of Findings: ___________________________ Date Returned to Detainee: ___________________________

(Detainee return within five days of receipt and check the appropriate box)

I would like this matter:

☐ Referred to the Detainee Grievance Committee (DGC).

☐ I agree with the resolution.

Detainee Signature:________________________________Date / time: ___________________________

Housing Unit Officer: ___________________________ Date / time: ___________________________
United States Department of Justice
Immigration and Naturalization Service

DETAINEE GRIEVANCE FORM

(A grievance must be filed within 3 days of original incident or issue)

Grievance #

Detainee Name: _____________________________  A#: b6-b7C  Housing Unit: M-16

Complaint/Comments: I am a diabetic. I have had ingrown toe-nails since November 2006 in C.C.A.-San Diego. When I got here on Feb. 12, 07 I asked for medical help with this problem. There are times that I cannot even walk. Neither C.C.A. nor the medical department here want to treat me besides the medical staff being very rude.

Action requested by detainee: I need to be treated for my very painful in-grown toe-nails AND the medical staff here at this facility El Centro Processing Center needs to be re-trained in the proper way to treat civil detainees. Instead of treating people like Animals like at C.C.A.-San Diego.

Detainee Signature: _____________________________  Date/time: 05-07-07

Housing Unit Officer: _____________________________  Date/time: _____________________________

INFORMAL [ ] Resolution is accepted by detainee: (to be completed within 24 hours and only if resolved prior to hearing)

This grievance has been informally resolved as follows:

________________________________________

________________________________________

Detainee Signature: _____________________________  Date/time: _____________________________

Staff Member: _____________________________  Date/time: _____________________________

Supervisory Review: _____________________________  Date/time: _____________________________

FORMAL [ ] Informal Resolution is not accepted by detainee and the grievance has been assigned to the following Department for formal resolution: [ ] Deportation [ ] Detention [ ] Administration

(Response to detainee within five (5) business days is required)

Departmental Findings/Actions Taken: __________________________________________

Dep. Head: _____________________________

Dep. Staff: _____________________________  Dep. Staff: _____________________________

Date of Findings: _____________________________  Date Returned to Detainee: _____________________________

(Detainee return within five days of receipt and check the appropriate box)

I would like this matter:

☐ Referred to the Detainee Grievance Committee (DGC).

☐ I agree with the resolution.

Detainee Signature: _____________________________  Date/time: _____________________________

Housing Unit Officer: _____________________________

Date/time: _____________________________
July 7, 2007

TO:

Distribution: All ICE employees at the El Centro, California Processing Center (top to bottom); American Civil Liberties Union (ACLU) at National Prison Project 915 15th Street N.W. 7th Floor Washington, D.C. 20005-2112; National Office 125 Broadway Street 18th Fl. New York, N.Y. 10004-2400; Human Rights Watch 350 Fifth Avenue 34th Floor New York, N.Y. 10118-3299; American Bar Association Commission on Immigration 740 Fifteenth Street, NW, 9th Floor Washington, DC 20005-1022; Assistant ICE-Field Office Director; Assistant ICE-Field Office Director-El Centro; Supervisor of Detention and Deportation Officer – El Centro Processing Center; Chief Medical Officer-El Centro Dental Department; El Centro Processing Center.

I have sent you multiple requests for dental care. You do not have a permanent dentist on board and once in a while bring one in only for a couple of days and only to pull teeth and perform a few clean-ups and/or check-ups, that is all you do or want to do and nothing else.

I learned that the dentist was here a couple of weeks ago and even though I have sent you multiple requests for dental work I was not called in and I want to know why? What do you do with the old dental/medical requests? throw them away? Don’t you keep track of who has been requesting dental/medical help?

I also learned from a couple of the detainees that “lucked-out” and were called in to see the dentist that they were told “do not tell anybody else that you have seen the dentist, otherwise everybody else will want to see him”

I have asked for dental help for the last 6 accumulated years; 4 at State Prison-Solano and 2 years here at Immigration which includes Calipatria-2 months, El Centro facility-6 weeks, C.C.A.-San Diego-1 year 3 months, Florence Arizona/Pinal County Sheriff’s Department-6 weeks, El Centro Processing Center (here again) since February 22, 2007 and so far, and always NOTHING. Only excuses!

<table>
<thead>
<tr>
<th>Time</th>
<th>Place</th>
<th>Comment(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Since 4 years ago to 2 years ago</td>
<td>State Prison-Solano</td>
<td>We have a backlog of 3 to 4 years</td>
</tr>
<tr>
<td>August and September 2005</td>
<td>Calipatria State Prison (Under ICE Custody)</td>
<td>you won’t be seen by a dentist because you will be here temporarily from 30 to 60 days only.</td>
</tr>
<tr>
<td>September 22nd 2005 to October 28, 2005</td>
<td>ICE-El Centro Processing Center in El Centro, California</td>
<td>We don’t have a permanent dentist</td>
</tr>
<tr>
<td>From October 28, 2005 to January, 27th 2007</td>
<td>C.C.A.-San Diego</td>
<td>After many requests I finally was called in only to be told that they did dental work only after one year of detainment. and told me to put-in a request after I was there 1 year and they would promptly call me. I put in about 9 requests within about 7 weeks after I had been there a year and they never called me.</td>
</tr>
</tbody>
</table>
Time                      Place                                      Comment(s)            cont.
From January 28th, 2007   Florence, Arizona ICE/and the               You won’t be here long enough to see a dentist.
                            Pinal County Sheriff’s Dept. in Arizona
to February 21st, 2007    ICE- El Centro Processing Center El Centro, Calif.
From February 22, 2007    I put in various requests and were told that there is
                            no permanent dentist on board now but there will be
                            one in the future, how long? no one knows. One comes
                            in every now and then for a few days and when he comes
                            in we will call you or put in another request to see him.
                            Saturday, July

I was barely able to fend-off dental decay for a long time at State Prison because there, at the store, you could
purchase dental floss and mouthwash unlike at this facility. But now, ignored by you all this time, it’s getting very
hard to keep a good oral-hygiene program. When we get to Immigration (ICE) I don’t know why you take away all
our hygiene and cosmetic products; creams, deodorants, baby powders but especially our regular toothbrushes,
regular toothpaste, dental floss and mouthwash that are helpful for good dental hygiene. They are doing no one any
good there in storage just waiting for us when we get out, sometimes years afterwards, you must have a good reason
to take them away although for the life of me I do not see why. Probably somebody sometime tried to do something
or did something with these products and now you, in your panicky way like always punish everyone else because of
those few fools, that, is called group punishment, which is morally wrong, against GOD’s wishes, rules,
regulations, laws and commandments, it is also illegal my friends.

You provide a very small toothbrush that is extremely hard to use and cheap toothpaste. You do not provide
dental floss nor mouthwash that are necessary for proper dental hygiene nor are there any for sale at the vending
machines that we can purchase ourselves.

Most detainees are here for just a little while therefore your present medical and dental care system are o.k. for
most, however, there are those of us that are here for years, for one reason or another and for those of us, your
present medical/dental system does not work. It is inadequate, and illegal!! and we respectfully request proper
changes to bring adequate dental/medical care in line with international, humanitarian, civil rights, human rights,
state, county, city and federal guidelines.

Personally, because of these type of problems of not getting adequate dental care for a very long time in these type
of places, I am concerned about my future dental care/hygiene and offer the following suggestions:

1. Find a way to get to know which detainees are going to be here or have been here for a long time and
   offer them better dental and medical services than the current system is providing them.
2. Allow for and arrange for mouthwash and dental floss to be sold at the vending machines.
3. If nothing else, at least allow for those detainees that have those items in their stored properties here at
   ICE waiting for them for when they get out to get them from their property to be able to use them.
4. Keep better track of dental/medical requests and call those that have filed requests before without them
   having to fill-out and send another one. There are times that we don’t even know when the dentist was
   here or when he is going to be here and we don’t find out until he is gone again that he was here for just a
   few days at a time.

Thank you for your time to read this letter

Sincerely and Respectfully Submitted

A 14 647 093 B/W-10
Facility Name: EL CENTRO DETENTION FACILITY, El Centro, CA
Date of Tour: August 8, 2007
Tour Participants: Latham & Watkins LLP attorneys and summer associates

Standards are Detainee Services Standards unless otherwise indicated. Standards excerpts are typed verbatim. Issues are generally listed in their order from the Report. Report comments in bold are priority issues for ICE-ABA discussion.

<table>
<thead>
<tr>
<th>ICE Standard*</th>
<th>Delegation Report</th>
<th>Source</th>
<th>ICE Response</th>
</tr>
</thead>
</table>
| 1. Standard 17, Visitation
  • III.B. Notification. The facility shall provide written notification of visitation rules and hours in the detainee handbook …. The facility shall also post these rules and hours where detainees can easily see them.
  • III.H. The facility’s written rules shall specify time limits for visits: 30 minutes minimum, under normal conditions. | ▪ Level 3 detainees may only receive visitors for about twenty minutes and are subject to unposted, limited visiting hours. (p.5 ¶3) | | |
| 2. Standard 17, Visitation
  • III.I.11. If standard operating procedures require strip searches after every contact visit with a legal representative, the facility must provide an option for non-contact visits with legal representatives. | ▪ One detainee stated he is always strip searched after visits, including legal visits. (p.4 ¶2) | | |
| 3. Standard 16, Telephone Access
  • III.L. The facility shall ensure privacy for detainees’ telephone calls regarding legal matters. For this purpose, the facility shall provide a reasonable number of telephones on which detainees can make such calls without being overheard by officers, other staff or other detainees. | ▪ Phones are located in the public dayrooms and separated by only a few feet and small partitions. Facility personnel explained that if a private call is necessary a detainee can specially request and arrange one, although no formal guidelines exist. However, one detainee reported that his request to El Centro SPC staff to arrange a private phone call was denied. (p.7 ¶3) | Delegation observations; Officer and detainee | |
| 4. Standard 16, Telephone Access
  • III.I. The facility shall take and deliver telephone messages to detainees as promptly as possible. | ▪ One detainee reported that on two occasions messages from his attorney were delivered to him after two or three days. (p.7 ¶3) However, officers and two other detainees stated that messages are delivered promptly. (p.8 ¶3) | | |
<table>
<thead>
<tr>
<th>Standard 1, Access to Legal Material</th>
<th>Detainee and Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>III.A. The facility shall provide a law library in a designated room with sufficient space to facilitate detainees’ legal research and writing. The law library shall be large enough to provide reasonable access to all detainees who request its use.</td>
<td>Computers are often inoperable. (p.10 §3, p.11 ¶1) Also, at times the facility allows passwords for the LexisNexis software to expire, rendering the software inoperable. (p.10 ¶3)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Standard 9, Group Presentations on Legal Rights</th>
<th>Detainee</th>
</tr>
</thead>
<tbody>
<tr>
<td>III.I. Videotaped presentations. The facility shall play [ICE]-approved videotaped presentations on legal rights, at the request of outside organizations. … The facility shall provide regular opportunities for detainees in the general population to view the videotape.</td>
<td>One detainee did not recall seeing a video presentation on legal rights. (p.14 ¶1)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Standard 3, Correspondence and Other Mail</th>
<th>Detainee and Delegation observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. All facilities will ensure that detainees send and receive correspondence in a timely manner.</td>
<td>Two detainees stated that mail may not always be delivered and can be slow. (p.14 ¶4, p.15 ¶¶1 &amp; 2)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Standard 6, Detainee Handbook</th>
<th>Delegation observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Every OIC will develop a site-specific detainee handbook to serve as an overview of … the detention policies, rules, and procedures in effect at the facility.</td>
<td>The facility permitted the delegation to see a Handbook, but informed the delegation that it could not be disseminated. (p.16 ¶2)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Standard 13, Recreation</th>
<th>Detainee</th>
</tr>
</thead>
<tbody>
<tr>
<td>III.B.1. If outdoor recreation is available at the facility, each detainee shall have access for at least one hour daily, at a reasonable time of day, five days a week, weather permitting.</td>
<td>One detainee reported that more than half of the one hour allotted recreation time is spent waiting in line. (p.17 ¶2)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Health Services Standard 2, Medical Care</th>
<th>Detainee and detainee A</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. All detainees shall have access to medical services that promote detainee health and general well-being.</td>
<td>Detainees stated that there are long waits for medical care, and that is not adequate for those in longer-term detention. (p.19 ¶3)</td>
</tr>
</tbody>
</table>

| III.A. Every facility will provide its detainee population with initial medical screening, cost-effective primary medical care, and emergency care. | In two cases the facility has not provided operations that doctors have prescribed. (p.20 ¶2, p.20 ¶5) |

<table>
<thead>
<tr>
<th>Standard 13, Dental Treatment.</th>
<th>Detainee</th>
</tr>
</thead>
<tbody>
<tr>
<td>An initial dental screening exam should be performed within 14 days of the detainee’s arrival.</td>
<td>The detainees do not receive the initial dental screening. (p.22 ¶2)</td>
</tr>
</tbody>
</table>
12. Standard 4, Detainee Classification System
   - III.E.1. Level 1 Classification. May not be housed with Level 3 Detainees.
   - III.F. The classification system shall assign detainees to the least restrictive housing unit consistent with facility safety and security. … 2. Levels one and two may be mixed, and high level twos and level threes may be mixed, when a facility is at or above full capacity. 3. Under no circumstances will a level two detainee with a history of assaultive or combative behavior be placed in a level one housing unit.
   - III.I. The detainee handbook’s section on classification will include the following: 1. An explanation of the classification levels with the conditions and restrictions applicable to each. 2. The procedures by which a detainee may appeal his/her classification.

   - A detainee stated that violent detainees are housed with non-violent detainees. (p.24 ¶2)
   - Another detainee stated that he was not informed regarding how he was classified or how to appeal. (p.24 ¶2)

13. Standard 5, Detainee Grievance Procedures
   - I. [S]tandard operating procedures (SOP) must establish a reasonable time limit for: … (iii) providing written responses to detainees who filed formal grievances, including the basis for the decision.

   - One detainee reported that he does not receive responses to his grievances. (p.25 ¶1)
   - Another detainee stated that facility staff told him that filing grievances would be a waste of paper because staff would not do what he wanted. (p.25 ¶1)

   - III.R. Environmental health conditions must be maintained at a level that meets recognized standards of hygiene.
   - III.M. Each facility must contract with pest control professionals to perform monthly inspections.

   - A detainee complained that his dorm was filthy and infested with roaches and rats. (p.27 ¶2)

15. Security and Control Standard 4, Detainee Transfers
   - III.G. Indigent detainees being transferred will be authorized a single domestic phone call at the Government’s expense upon arrival at their final destination. … Non-indigent detainees shall have access to make calls at their own expense pursuant to the Telephone Access Detention Standard.

   - One detainee stated that he was not afforded a telephone call when he arrived at the facility, nor did he believe his attorney had been contacted. (p.31 ¶3)